The Beleaguered World of Kevin Shelley

California JOURNAL

NOVEMBER 2004
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Labor in Transition

Unionizing in a changing workforce

Also:
- CA's Hostess Charlotte Mailliard Shultz
- Splitting Santa Barbara

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The "tweener"

The magazine before you is an eclectic blend of stories centered on organized labor and its effort to keep pace with an evolving economy, including a look at the changing nature of the United Farm Workers. But this issue also is a "tweener" — prepared in the heat of an election season yet blissfully unencumbered by campaign results. For most of the *Journal's* lifetime, the mandates of a monthly production schedule have forced us to split election coverage between our October and December issues. But that traditional approach has become increasingly problematic in an electronic age where blogs, Web sites and CNN provide up-to-the-nanosecond reporting. It also is one reason the *Journal* has embarked on a fundraising program to enhance its Web presence and provide more timely coverage, not just of elections but of public policy and politics in general.

A. G. Block

Cover: Gettyimages and Corbis photos

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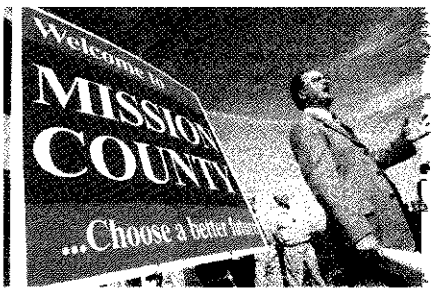

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umbrage

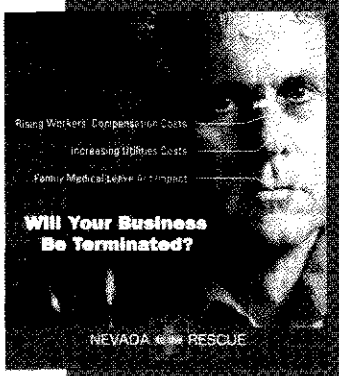
In and not in. When *Hispanic Business* magazine recently released its list of the country's "100 Most Influential Hispanics," a handful of Californians made the list, including Ann Marie Tallman, newly installed president of the Mexican American Legal Defense and Educational Fund (MALDEF); Antonia Hernandez, former MALDEF president who now heads the $600 million California Community Foundation; and Melinda Guzman Moore, chair of California's Hispanic Chambers of Commerce. They're among those considered most influential nationally in the Hispanic political, business and nonprofit world. Only three elected officials made the list: U.S. Rep. Hilda Solis (D-El Monte), state Sen. Deborah Ortiz (D-Sacramento) and Los Angeles City Attorney Rocky Delgadillo. Perhaps more revealing were those left *off* the list; namely, every male member of California's Latino Caucus in both the Senate and Assembly, most notably Assembly Speaker Fabian Nunez (D-Los Angeles). Of California's 120 legislators, 27 are Latino. Also surprising was the lack of Latino heavy hitters from Los Angeles, particularly a trio of former Assembly members: Los Angeles County Supe. Gloria Molina, Democratic Party Chair Art Torres, and L.A. City Councilman Antonio Villaraigosa, the former Assembly speaker now running for mayor.

Donna Arduin

Adios, Arduin. At first, Florida budget cutter Donna Arduin was everywhere. When Gov. Arnold Schwarzenegger wooed her to California, she arrived amid much fanfare as California's new finance director. But at her first Capitol hearing, she shunned lawmakers' questions and abruptly departed. After that, she all but disappeared. Despite her reputation as a slice-and-dice budgeteer, Schwarzenegger's first term was marked more by borrowing than cutting, and lawmakers grumbled that she was not up to speed on state finance. Her most memorable achievement: making the state budget available on CD-ROM. Last month she announced that she's leaving after 11 months in office.

Under assault

As the late Jimmy Durante used to say, "Everybody wants to get into the act." And "the act" these days seems to be stealing California businesses. First, a cross-country war broke out between California and Massachusetts, with dueling billboards serving as the weapons. The Schwarzenegger administration fired the first salvo when it festooned Boston's Logan Airport with a bigger-than-life Arnold, muscled arms crossed and the caption: "California wants your business." Massachusetts Gov. Mitt Romney fired back with billboards near San Diego, San Francisco and Los Angeles airports. He, too, has crossed arms, reports the *Boston Globe*, but with a slightly different slogan: "Smaller muscles but lower taxes! Massachusetts means business." Now comes Nevada, which recently dispatched a platoon to Sacramento to hand out cookies and other treats emblazoned with the logo "Nevada to the Rescue." They also handed out flyers explaining why it is better to do business in Nevada. Among the reasons: Nevada employers must provide only three months of family leave while California allows seven.


Rising Workers' Compensation Costs
Increasing Utilities Costs
Family Medical Leave for 7 Months
Will Your Business Be Terminated?
NEVADA to the RESCUE

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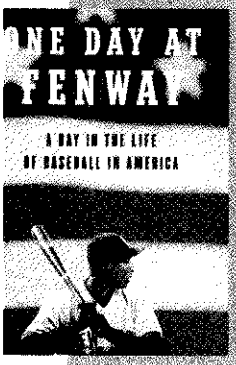
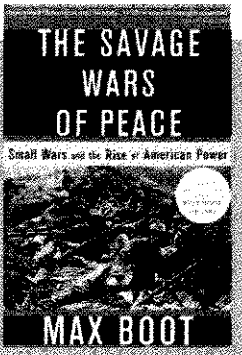
Interns Turned Authors:

Where are they now?





Two former *California Journal* interns have published books that could not be more different in scope and subject. Max Boot, who interned at the *Journal* in 1988, authored the prize-winning "The Savage Wars of Peace" (Basic Books, 2002) about America's long history of "small wars" written while he was editorial features editor for the *Wall Street Journal*. Currently a senior fellow at the Council on Foreign Relations, he is at work on his third book, "War Made New," due next year. Boot also holds the distinction as the only *California Journal* intern ever to wear a straw hat as part of his everyday wardrobe covering the Capitol. He says he's given up the hat. Meanwhile, Steve Kettmann, who wrote for *California Journal* in 1986, recently published "One Day at Fenway" (Atria, 2004) about baseball and the fans who watch it. Kettmann's effort has become the controversial subject of dueling reviews from columnists at ESPN, the all-sports cable channel. Peter Gammons called it a "must read," Rob Neyer, who's written a similar book, savaged it. Sounds like the *Journal* legacy rubbed off on Kettmann. Some love what we write. Some don't.

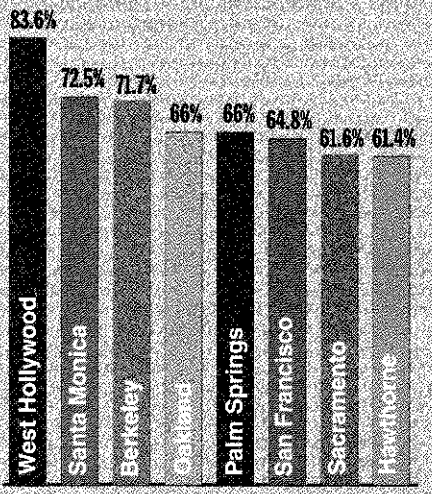
Swingin' Singles:

Unmmaried voters get no respect

In sheer numbers, they could be as pivotal as a swing state. But when it comes to presidential politics, unmarried adult voters are as lonesome as they come. They've got a lobbying group — based in Southern California — but the estimated 86 million unmarried voters nationwide weren't exactly romanced by 2004's politicians. "Presidential candidates ignored unmarried voters this election cycle, just as they have done in previous presidential elections," said Thomas Coleman, executive director of the American Association for Single People (AASP). "The domestic policy focus has been on families, parents and marriage. It's almost as if [singles] do not exist." And that's largely because "single people have mostly failed to perceive of themselves as a potentially powerful political constituency," said Coleman, who travels from Glendale to Washington, D.C., to lobby on behalf of AASP's 3,500 members. What do they want? Fairness. In the tax code (income, social security and estate taxes), in the workplace (employee benefits) and as consumers (against higher insurance rates for travel, hotel rooms, health club memberships and against housing discrimination.) A little lovin' is all they ask.

Top CA Cities Headed by Singles

Percent of households headed by unmarried adults in 2000



Source: U.S. Census

Quotables.....

"It's ridiculous. I wouldn't even come this early to get a drink."

— Willard Clay of Fallbrook, who lined up at 4:30 a.m. to get a flu shot, quoted in the *San Diego Union-Tribune*.

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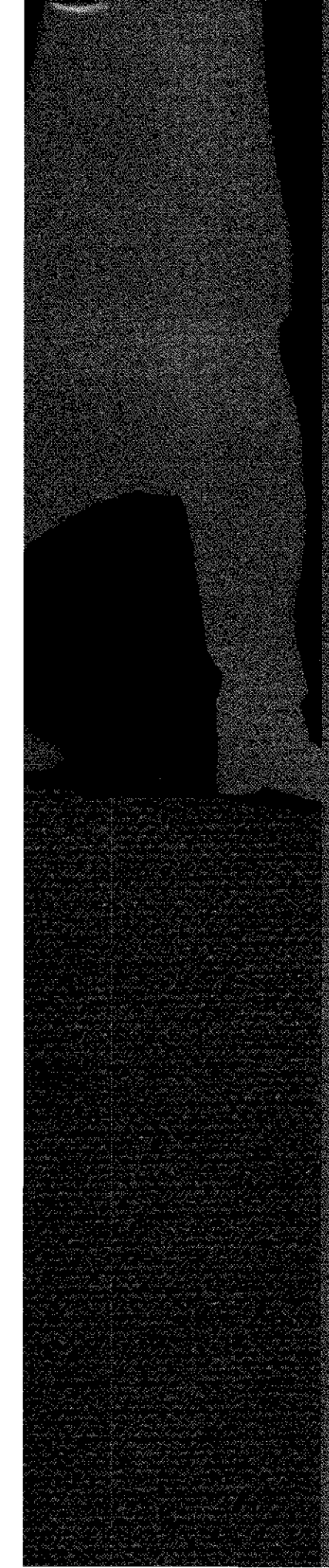

California Labor's Big Shift

Amid a changing workplace, labor unions —both here and across the country — are caught in transition. As manufacturing jobs disappear and many white-collar jobs head overseas, unions nationally have struggled to shore up sagging membership. In California, it's been a wake-up call, forcing unions to change with the times. Today, California leads the country in unionizing health-care and public employee workers, but those gains haven't come easily. By John Howard

Thirty-one years later, laborer Miguel Contreras remembers that moment in the predawn darkness when the ranch boss and the crew chiefs drove up.

"(They) assembled the entire Contreras family in front of our little home in Dinuba. With the headlights from their pickup trucks glaring in our eyes, they fired us all," he said, including his father, Jesus, who had worked on the ranch since 1949 and who was blacklisted for following United Farm Workers leader Cesar Chavez. "For those who don't know me," he added, "I've been a union man since that day in 1973 at 4:30 a.m."

Contreras, now a power in California politics, leads the Los Angeles County Labor Federation's 800,000 members. Once arrested 18 times in 90 days for violating anti-picketing rules, he dreams of expanding California's unionized work force.

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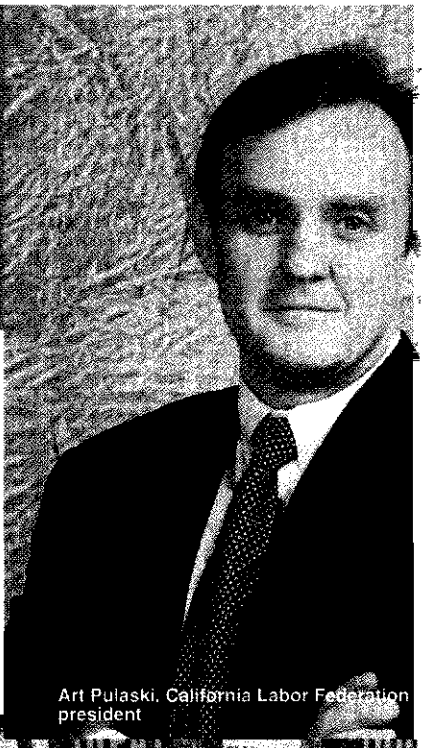
"California has been leading the charge for the country, in terms of increasing membership by several hundred thousand members. There's been some serious and aggressive organizing going on by a number of unions."
— Art Pulaski, California Labor Federation



Art Pulaski, California Labor Federation president

But his dream — others have it, too — is far from reality.

California's union membership, along with other workers covered by collective bargaining agreements, is hovering near 18 percent of the employed work force, about 2.5 million workers — higher than the national average of 13 percent but far below such states as New York, New Jersey, Michigan and Washington.

Between 1997 and 2002, California bucked the national trend, its unionized labor expanding from 16 percent to 18 percent of some 15 million employed workers. The expansion included an increase in public employee union membership and the addition of some 7,000 health care workers to the Service Employees International Union, now arguably the most powerful union in California with a membership that cuts across both the public and private sectors. SEIU represents a fourth of all public workers, more than half of all health-care workers and about one in every five California workers covered by a collective bargaining agreement.

Nearly 54 percent of all government workers in California are unionized, about three times the level in the private sector. Nationwide, about 38 percent of public workers are unionized.

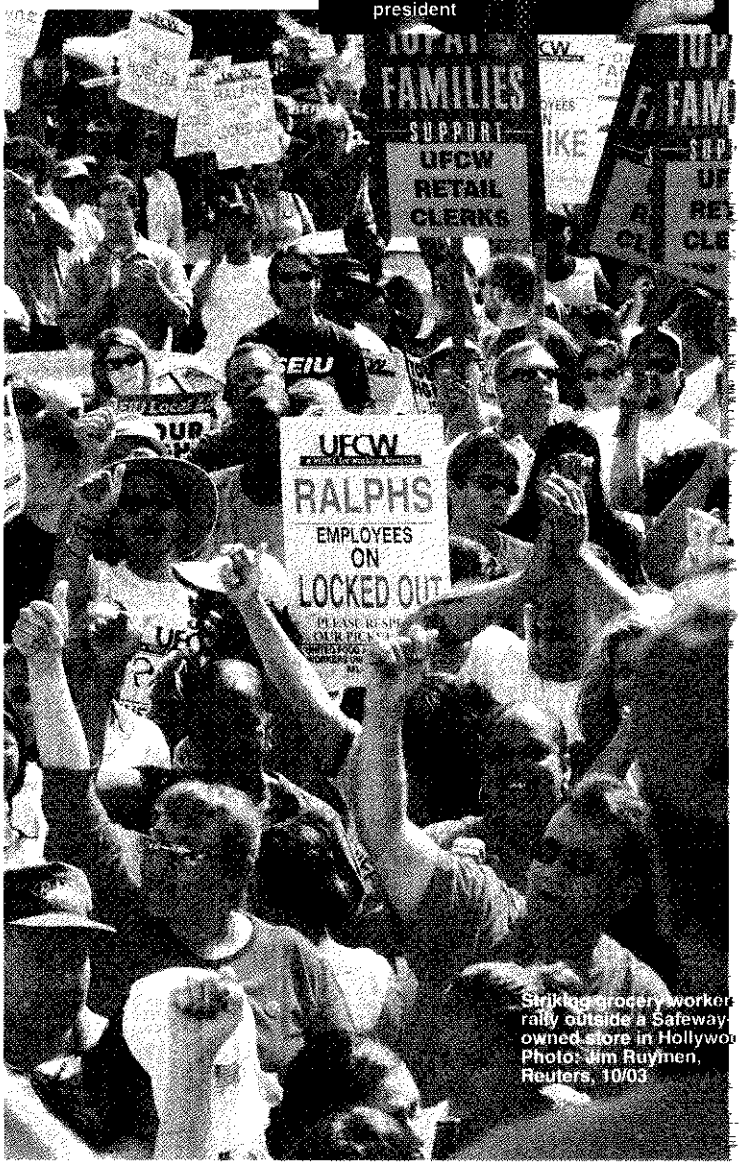
"In California, there was a dramatic increase in union monopoly bargaining handed down by a governor and Legislature to unionize giant sectors of government employees," said Stefan Gleason of the National Right to Work Legal Defense Foundation, an anti-union group.

The governor to whom Gleason was referring was Gray Davis, a Democrat forced from office last year in the recall election won by Arnold Schwarzenegger. Among the legislation Davis signed was the Family Leave Act, opposed by employers, which provides paid time off to allow an employee time to bond with a newborn, care for ailing relatives or take care of critical family matters. Organized labor supported the bill, considered a national milestone.

It was California labor's most important political victory in years. Conversely, labor suffered a major defeat when Republican Governor Schwarzenegger recently vetoed a bill to raise the minimum wage.

Every major ethnic group — Anglo, African American, Latino, Asian — now has a higher proportion of union membership in California than the nation as a whole. Since 1997, California workers seeking unions have won over half of their elections. In 2002, there were 1,762 union elections, nearly six times the number of 1997, according to the National Labor Relations Board.

"California has been leading the charge for the country, in terms of increasing membership by several hundred thousand members. There's been some seri-



Striking grocery workers rally outside a Safeway-owned store in Hollywood. Photo: Jim Ruymen, Reuters, 10/03

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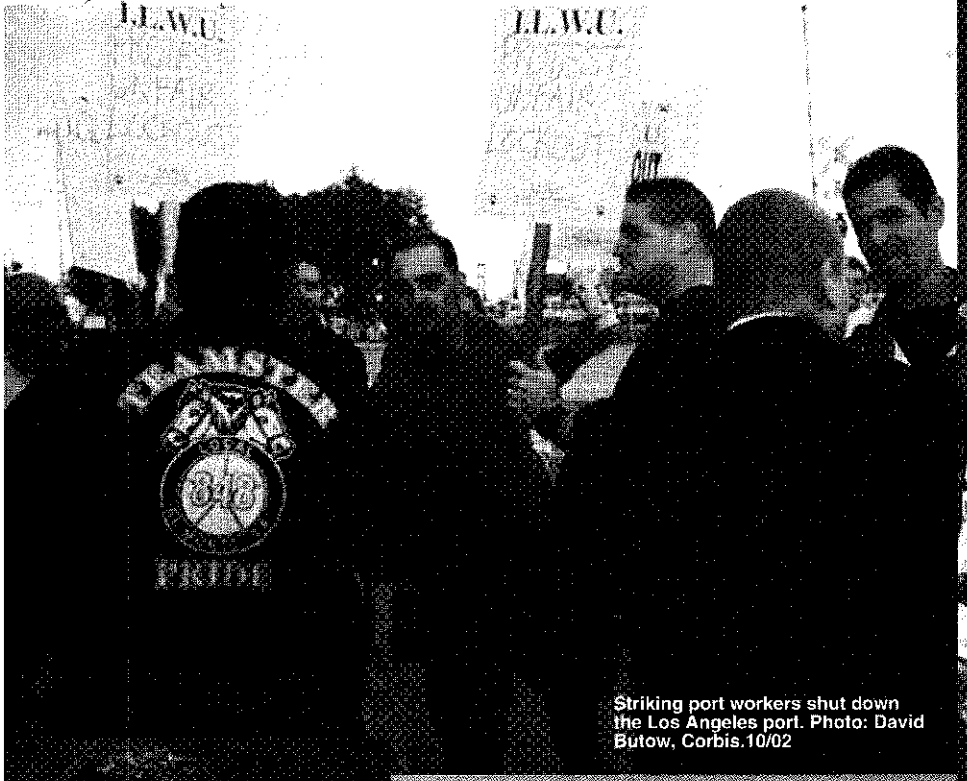

Striking port workers shut down the Los Angeles port. Photo: David Butow, Corbis.10/02

Members of the Screen Actors Guild picket Universal Studios. Photo: Fran Trapper. Corbis.10/00

uel Contreas, . Co. Labor Federation

Despite the gains, California's unionized work force overall is less than half the size it was in the early 1950s.

ous and aggressive organizing going on by a number of unions," said Art Pulaski, president of the California Labor Federation.

A lengthy report last year by the University of California's Institute for Labor and Employment (ILE) agreed.

"Against all odds, union density has inched upward in the nation's most populous state ... the recent upturn in California is highly unusual," noted the study by the ILE, a pro-labor think tank.

But despite the gains, California's unionized work force overall is less than half the size it was in the early 1950s during the peak of California's post-World War II industrial expansion, when better than four in 10 of employed workers belonged to a union. Labor currently is struggling to carve out a larger share of an ever-expanding work force.

Nationally, the proportion of union membership declined dramatically and those workers now comprise only about a third of their high point 45 years ago.

What happened?

Some improvements in pay, benefits and working conditions — ironically, prompted in part by companies hoping to head off unions — played a role. So did the companies' use of increasingly sophisticated anti-union techniques developed by a burgeoning industry of labor-management consultants and law firms, many of them based in Southern California.

"You have a growing range of options, and workers by their own choices are deciding not to join unions," said state Senator Tom McClintock (R-Thousand Oaks), a member of the Senate Labor Committee and a long-time union critic. "The private sector now offers workers so many choices that they can decide for themselves whether to accept a job that is union-dominated or not."

Too, the unions gradually ceased being an integral part of a member's family life.

"In the 1940s and '50s, the unions were sort of the working man's Elks Club or country club. They held all kinds of social activities, dances and picnics, and being a union member was kind of a popular thing to do. It was a social institution and, like Little Richard said, you'd 'shag on down by the union hall and have a party.' That's how it was," said Don Wilson of the Oklahoma-based Institute for Labor Relations, a pro-management research group whose client list includes labor attorneys.

But then something changed: The workplace landscape shifted from traditional manufactured goods to services and information technology. Labor and management experts alike say that shift has made acquiring new

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members more difficult. Too, government swelled.

"The unions then became strictly a collective bargaining institution," Wilson said. "More and more jobs developed in the service industry, and the unions didn't adjust very well. As the economy changed, they still were relatively effective in manufacturing, but not particularly effective in organizing health-care workers or McDonald's or Wal-Mart. And now those people make up the bulk of the work force."

Many on labor's side came to a similar conclusion.

"We in organized labor came to the realization 15 or 20 years ago that if we didn't change the way we were doing things, we would be the reason for our own demise. We came to the understanding that we needed to change things and we had to wake up," said Hershel "Bart" Barton of the International Brotherhood of Electrical Workers in Contra Costa County. Barton spent 25 years in the field as an electrician, and the last five years as head of the IBEW's Local 302.

"One of the biggest problems was our theology that we would continue to do things a certain way because that's how they had always been done. We always felt that way, but the economy changed — and we didn't," he said.

One result was that unions began to change the way they organized members. That led to what has become one of the most significant issues in worker-employer relations today — the dispute over the 'card check' election. By one labor estimate, perhaps four out of five union organizing drives are launched through card check. Dueling card-check legislation is pending in the Republican-controlled Congress — one, backed by employers, would outlaw it entirely, and the other, backed by labor, would enshrine it

Labor on the Silver Screen

Over the years, labor in all its incarnations has been the subject of some notable films and documentaries. Here is a sampling.

And the Earth Did Not Swallow Him

Severo Perez (1995). Jose Alcala, Art Bonilla. A 1950s migrant family follows the crops from Texas to Minnesota. From the Tomas Rivera novel.

Black Fury

Michael Curtiz (1935). Paul Muni. An immigrant coal miner is caught up in a clash between workers and mine owners.

Bread and Roses

Ken Loach (2000). Pilar Padilla, Adrien Brody. Latina sisters, one an illegal immigrant, are non-union workers in a building targeted for unionizing by the "justice for janitors" campaign.

Chicago Confidential

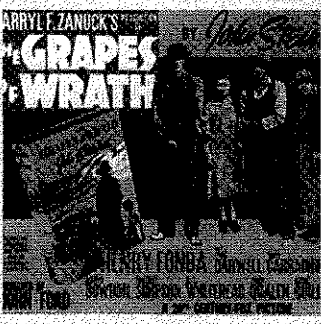
Sidney Salkow (1957). Brian Keith, Beverly Garland. A district attorney reopens the case of an honest union official framed by a crime syndicate for the murder of a colleague.

F.I.S.T.

Norman Jewison (1978. Sylvester Stallone, Rod Steiger, Peter Boyle. The rise of a Teamster, from local driver in 1930 to union leadership — and connections with organized crime.

The Grapes of Wrath

John Ford (1940). Henry Fonda, Jane Darwell, John Carradine. The Joad family saga as it heads west from the Oklahoma dust bowl to a new — and hopeful — life in California. From the John Steinbeck novel.



Hoffa

Danny DeVito (1992). Jack Nicholson, Danny DeVito, Armand Assante. A bio-pic on the life of Jimmy Hoffa, from his days as an organizer to his control of the Teamsters Union.

Matewan

John Sayles (1987). Chris Cooper, James Earl Jones. A labor organizer's effort to form a union ultimately leads to a violent confrontation between miners and coal companies in 1920 West Virginia. Based on a true incident.

Modern Times

Charles Chaplin (1936). Charlie Chaplin, Paulette Goddard. Chaplin's final silent film is filled with mechanical sound effects as his

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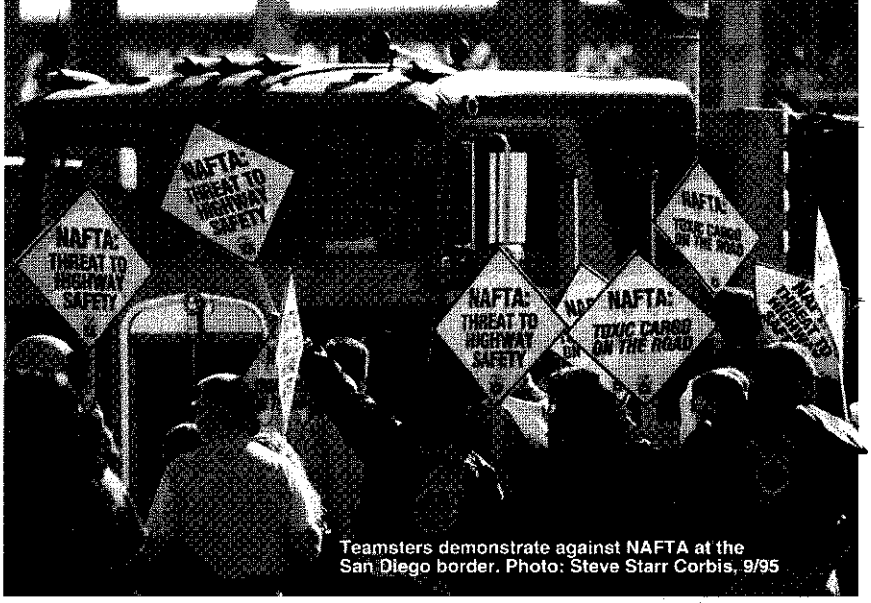
in statute.

The issue is simple, the implications profound.

In card check, workers who want to be represented by a union can sign authorization forms, or "cards," expressing their desire. Employers can — although they are not required to by law —recognize the union if a majority of all employees signs the cards. Because there is no legal requirement that the employer acknowledge the union, the workers typically will ask management for a "card check agreement," in which the company agrees to recognize the union if a majority of workers want one.

Sometimes the employers agree, because they want to "maintain good relations with their employees (and) maintain good relations with unions



Teamsters demonstrate against NAFTA at the San Diego border. Photo: Steve Starr Corbis, 9/95

"Poor Tramp" character hopelessly confronts the machine age.

The Molly Maguires

Martin Ritt (1970). Sean Connery, Richard Harris. Irish emigrant coal miners form a secret society to fight mining company cruelty in 1876 Pennsylvania.

Norma Rae

Martin Ritt (1979). Sally Field, Beau Bridges, Ron Liebman. A southern textile worker joins with a union official to organize her factory. Field won an Oscar for her performance as Norma Rae.

On the Waterfront

Elia Kazan (1954). Marlon Brando, Karl Malden, Lee J. Cobb, Rod Steiger. The classic story of ex-boxer Terry Malloy, who serves as a goon for a corrupt union boss — until his conscience is awakened by the murder of a rebel longshoreman.

Salt of the Earth

Herbert Biberman (1954). Rosaura Revueltas, Will Geer. The strike against a New Mexico zinc mine is the background for an early exploration of feminism. Written, produced and directed by the blacklisted "Hollywood Ten," who refused to testify before the House Un-American Activities Committee at the height of the McCarthy Era.

Slaughter on Tenth Avenue

Arnold Laven (1957). Richard Egan, Jan Sterling, Walter Matthau, Charles McGraw, Dan Duryea. A racket-busting district attorney takes on a corrupt longshoreman's union to solve the murder of a rebel dock worker. A famous sound track by Richard Rodgers and Henry Mancini.

Notable Documentaries

The Fight in the Fields

Rick Tejada-Flores, Ray Tellas (1997). Documents the history of the United Farm Workers and its founder, Cesar Chavez.

Harlan County, USA

Barbara Kopple (1976). Chronicles a brutal strike against a mining company in Harlan County, Kentucky, in June 1973. Also the subject of a made-for-TV movie, "Harlan County War" (USA, 2000), starring Holly Hunter.

Harvest of Shame

Edward R. Murrow (1960). Pioneering effort from "CBS Reports," highlighting the plight of migrant workers.

Roger & Me

Michael Moore (1989). Moore's attempt to secure an interview with General Motors CEO Roger Smith after 30,000 workers lost jobs in the wake of GM's closure of a Flint, Michigan, auto plant.

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at other work sites," one labor analysis said. Sometimes they refuse, then call for a secret-ballot election supervised by the National Labor Relations Board. The NLRB then sets an election date, perhaps 30 or 60 days hence, in which a majority of those voting decide the issue.

Employers believe the secret-ballot election is necessary to protect the workers' constitutional rights and shield anti-union workers from coercive, pro-union colleagues.

"Sometimes left in the middle is the employee who may not want to be involved in a union," Gleason said.

Gov. Gray Davis speaking to the International Brotherhood of Electrical Workers during his recall campaign. Photo:Kim Komenich, Corbis, 10/03

"We in organized labor came to the realization 15 or 20 years ago that if we didn't change the way we were doing things, we would be the reason for our own demise."
— Hershel Barton, IBEW union leader

State Senator Tom McClintock

But union organizers believe employers' concerns over secret balloting are a smokescreen, intended to give the companies time to hire union-busting consultants. They note that employers often disclose the names and addresses of workers to anti-union consultants, who can visit workers at their homes, and that employers can hold captive-audience meetings at the work place to fight the union. They also complain that the NLRB, dominated by appointees of Republican President George Bush, is unfriendly to labor.

"By just showing cards, you don't have to go through the long drawn-out process of determining who gets to vote," said Bob Balgenorth, president of the State Building and Construction Trades Council. "There are many little tricks that the "persuader" uses to make it seem hopeless that a worker will ever get an election. Employees get terminated and intimidated, spouses get scared to death, people are made to feel very fearful of their job, sometimes even fear for their health."

For employers, already strapped by spiraling costs on everything from workers' compensation insurance to energy to health coverage to construction, the prospect of a labor union is anathema. For smaller companies, it may mean life or death.

In raw salaries, California's unionized workers on average earn about 20 percent more than their nonunion counterparts, money that comes from the pockets of employers. Often, the disparity is far greater, as in the construction trades, where a nonunion worker earns a median paycheck of $580 weekly, while a union worker earns $304 more, or $884 a week — a 52 percent difference. Apart from pay is the increasingly important issue of health-care benefits. Indeed, health care now is the principal concern of workers during collective bargaining negotiations. Three out of four unionized workers have health-care coverage;

BY THE NUMBERS

25% Employers who illegally fire at least one worker for union activity during organizing campaigns.

75% Companies that hire consultants to fight union organizing drives.

51% Employers who threaten to fully or partially close their plant if a union wins the election.

1% Companies that actually close their plants after a successful union election.

32% Percent of elections in which workers vote to have a union but still have no contract two years after the election.

Sources: Kate Bronfenbrenner, "Uneasy Terrain: The Impact of Capital Mobility on Workers, Wages and Union Organizing," Sept. 6, 2000; Human Rights Watch, Unfair Advantage: Workers' Freedom of Association in the United States Under International Human Rights Standards, 2000; Membership surveys for the AFL-CIO, Peter D. Hart Research Associates, 1999, 2001 and 2003; Richard B. Freeman and Joel Rogers, "What Workers Want," ILR Press, 2002.

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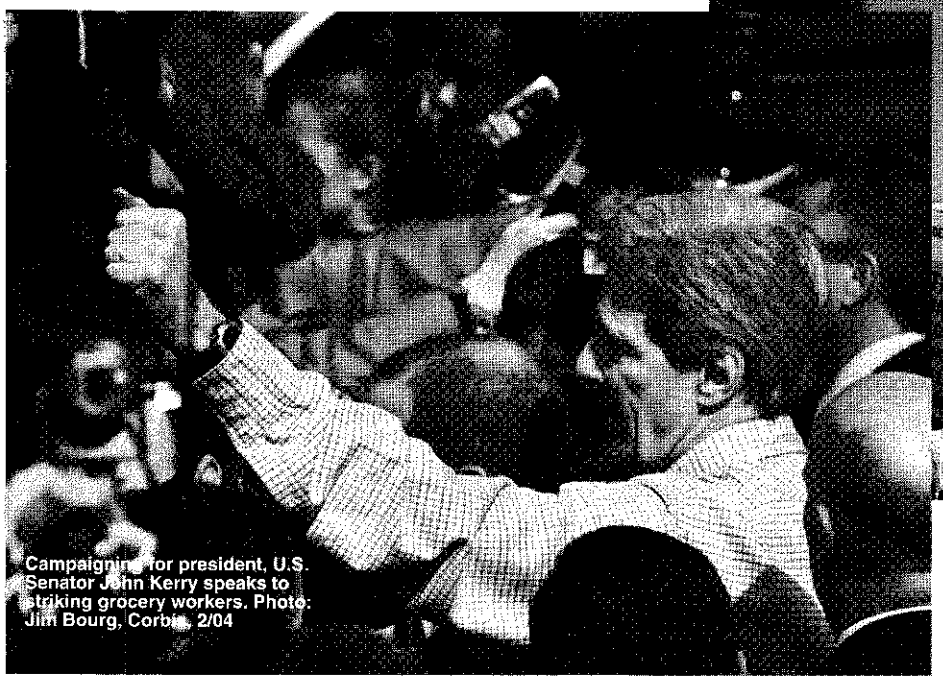
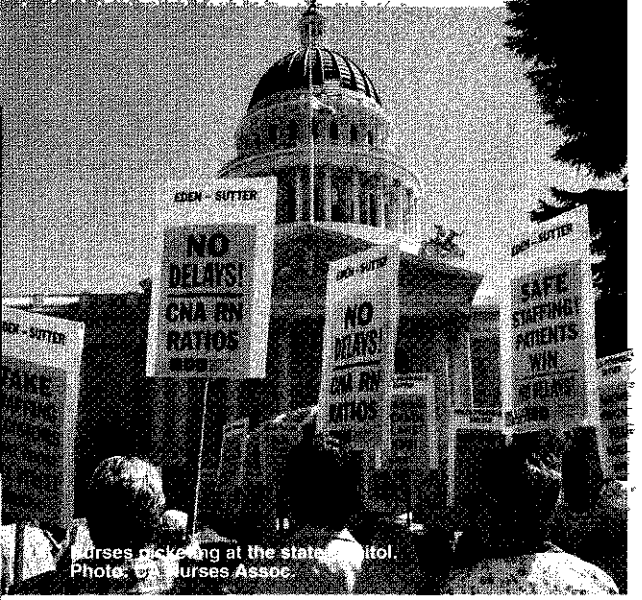


Campaigning for president, U.S. Senator John Kerry speaks to striking grocery workers. Photo: Jim Bourg, Corbis, 2/04



Nurses picketing at the state Capitol. Photo: California Nurses Assoc.

among nonunion workers, it's less than half. During a five-month strike and lockout recently by some 70,000 Southern California grocery workers, the pivotal issue was health care.

The companies reason, and rightly, that it is a sound investment to hire so-called "persuaders" for $8,000 a month or more — their earnings are publicly disclosed on the U.S Department of Labor's Web site — to convince employees one-on-one to shun unions. Costs aside, some employers are ideologically opposed to unions or the notion of collective bargaining, or fear that they will lose control of their own companies.

The issue is bitter and divisive and prolonged, pitting workers against employers and workers against each other. Each side accuses the other of harassment, coercion and chicanery. Over time, in this struggle between employers and employees, the employers have dominated.

"So often, we find employers who oppose the desire of their employees to organize for a better voice for wages and benefits," Pulaski said.

"If labor is on the decline, it has to a lot to do with outsourcing [sending domestic jobs to foreign countries] and trade agreements," said Teamsters spokesman Ed Rendon in Los Angeles. "Corporate America doesn't really value workers. It's all about profits."

Employers acknowledge their concern for the bottom line, but there also is the philosophical and ideological belief that each worker should be allowed to negotiate on his or her own behalf.

"It's the difference between individual conscience and collective coercion," Senator McClintock said. "Natural rights are not subject to majority veto. That's what I find most objectionable — the freedom of choice that organized labor has attempted to subvert."

In the day-to-day struggle in the workplace, however, the view is far different than on the Senate floor.

"What really matters is how greedy the individual employer is, or the employer's philosophical bent. They don't want to give somebody health care or a pension or decent wages," Balgenorth said.

"It's as simple as that."

John Howard is senior editor of the California Journal. *Send comments to* **comments@californiajournal.org**

POLITICAL SPENDING BY CA LABOR GROUPS IN 2003-04

$9.2 million	California Teachers Association
$6.8 million	Service Employees International Union
$4.2 million	California Federation of Teachers
$3.7 million	California Correctional Peace Officers Association
$3.7 million	California School Employees Association
$3.1 million	California State Employees Association
$2.4 million	California Labor Federation
$1.9 million	California Professional Firefighters
$750,000	American Federation of State, County and Municipal Employees

(Includes money raised and spent on campaign donations and lobbying payments in 2003-04.) Source: CA Secretary of State

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LABOR'S OLD AND

The roster of unions active in California includes venerable organizations from labor's history, those that organized the manufacturing and trades workforce during the first half of the 20th century — auto and garment workers, truck drivers and dock workers, to name a few. But it also includes newer unions focused on an emerging service and government workforce. Here are brief capsules on labor's oldest and newest unions, prepared by students at the University of California, Berkeley, School of Journalism under the direction of *California Journal* contributing editor Susan Rasky.

OLD POWER

Communication Workers of America

The Communications Workers of America is the nation's largest communications and media union, representing white-collar employees in the telecommunications, broadcasting, journalism, information technology, education, and healthcare industries. Originally known as the National Federation of Telephone Workers in 1938, this once loosely connected union transformed itself into the CWA after losing a strike against AT&T in 1947. Today, it boasts a membership of over 700,000.

CWA represents 67,000 workers in California, 55,000 of them union members. California's 40 locals include the National Association of Broadcast Technicians, the Newspaper Guild and the University Professional and Technical Employees), which represents 12,000 professional education, research healthcare and technical employees in the University of California system. Local 9400 is Southern California's largest CWA union, representing employees in the telecommunications industry.

The changing face of technology and outsourcing have forced the union to chart new territory. For instance, CWA has lost representation at some of its mainstay companies, such as AT&T, where it represents 17,000 workers — down from185,000 in 1984. At Lucent Technologies, it has gone from 25,000 in 1988 to fewer than 4,000 today.

— Aliza Nadi

International Association of Machinists and Aerospace Workers

The International Association of Machinists and Aerospace Workers represented a major pillar of union strength in the United States during the Cold War. In 1968, the IAMAW had more than 1 million members nationally, many well paid with good benefits. But today, base closures and outsourcing have cut the IAMAW's total active and retired membership to 730,000 nationwide and about 40,000 in California.

The union's current political focus is protecting high wage manufacturing, aerospace and heavy equipment jobs in California, as well as encouraging companies to relocate here by getting state government to create tax incentives.

In 2002 there were about 131,000 aerospace jobs in California, down from 383,000 in 1986, according to a UCLA study. Companies like McDonnell-Douglas and Lockheed have moved out of state or been absorbed into companies located elsewhere. In addition, bankruptcies and near bankruptcies by major U.S. airlines have eliminated many of the union's airplane mechanic and airport service positions.

— Tomio Geron

International Longshore and Warehouse Union

Well-compensated blue-collar jobs are few and far between these days, and the International Longshore and Warehouse Union is trying to protect its 42,000 members in California, Washington, Oregon, Alaska and Hawaii's ports.

With an average salary of $80,000 and full health coverage as well as a pension, the union has historically enjoyed the strength that comes from the ability to virtually shut down the U.S. trade economy via a strike. Accustomed to difficult and dangerous working conditions, the dockworkers proved themselves equally tough on the picket lines. In 1934, for instance, the union under celebrated leader Harry Bridges emerged victorious from a bloody three-month strike.

But these days the union is struggling as it faces an industry in the midst of technological changes and serious national security challenges. Two years ago the union shut

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Waterfront leader Harry Bridges leads picketing workers in San Francisco, 1934. Photo: Bancroft Library

down West Coast ports for 10 days at an estimated cost to the U.S. economy of $1 billion a day after contract negotiations stalled on the issue of technology, and the possible loss of union jobs. After President George Bush evoked the seldom-used Taft-Hartley Act to force the ports to re-open, the union was left to compromise and allow in new technology that may end up eliminating 400 jobs.

— Alexandra Berzon

Teamsters

Founded officially in 1903, the Teamsters were once synonymous with union corruption. The AFL-CIO expelled the union in 1957, and former Pres. Jimmy Hoffa was imprisoned in 1964. He disappeared soon after his release, presumably murdered.

Despite these troubles, the union retained considerable power during the mid-20th century. Membership skyrocketed during the post-World War II industrial boom, and the construction of interstate highways that began in 1956 created thousands of jobs for Teamster truck drivers. At the height of the Teamsters' power during the 1960s and early 1970s, it solidified key contracts for truck drivers and California farm workers, and membership swelled to 2 million.

But growth slowed in the 1970s, and the de-regulation of the trucking industry under President Ronald Reagan severely hurt the Teamsters. The union has been under U.S. government supervision since 1989 to root out corruption, and during the early 1990s, it faced bankruptcy and plummeting membership.

In the last decade, beginning with the tenure of reform-minded president Ron Carey, the union has been trying to move beyond its past reputation. While the union's national membership has stagnated, its California locals are slowly growing. Today, bolstered by organizing efforts in non-related occupations, the national union has 1.4 million members, about 225,000 in California. They range from workers in the trucking, airline, grocery and car-haul industries to employees of Costco, UPS, government and the movie industry. In 2004, it also began organizing California taxi drivers.

— Claire Miller

United Auto Workers

Much has changed since the 1950s, when the United Auto Workers represented the promise of racial harmony, fair wages and a bright future for the nation's manufacturing workers. Today, the U.S. no longer dominates the global auto industry, and technology has rendered most assembly line jobs obsolete. Union membership has plummeted and its political clout has waned.

Yet the future imagined by famed UAW leader Walter Reuther, who took control after World War II, has come true. Though UAW membership has dwindled from a 1979 peak of 1.5 million to about 710,000 today, as it suffered alongside employers who lost huge markets to the Japanese in the 1980s, it has managed to recreate itself. In the past decade, the UAW has adopted a softer approach to management relations, often angering members who feel its tactics are too conciliatory. It also has opened its doors to workers in more service-oriented fields, including secretaries, graphic designers and even graduate students.

The California UAW is emblematic of that shift. Despite the well-publicized efforts of the UAW during a time of major labor strife in the automotive industry, 2,600 workers lost their jobs in 1992 when General Motors closed its Van Nuys manufacturing plant. Today, New United Motor Manufacturing Inc. (NUMMI) in Fremont — operated jointly by GM and Toyota — is seen as a modern example of how labor and management can coexist to improve efficiency while saving manufacturing jobs.

— Sandhya Somashekar

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Union of Needletrades, Textile and Industrial Employees & Hotel Employees and Restaurant Employees

This year's merger of the Union of Needletrades, Textile and Industrial Employees (UNITE) and the Hotel Employees and Restaurant Employees (HERE) brought together two service-industry powerhouses with immigrant memberships and a focus on organizing. Forged in the heat of New York's infamous Triangle Shirtwaist fire in 1911, UNITE and its predecessor, the International Ladies Garment Workers Union, have long represented those who make America's clothing. The union popularized the use of the union label on garments, even opening its own Los Angeles-based company, SweatX, in 2002 to draw attention to the plight of sweatshop workers.

After winning a 16-year battle to organize San Francisco's Marriott hotel, HERE turned its attention to the immigrant rights movement, organizing last year's "Immigrant Workers Freedom Ride" to promote amnesty for undocumented workers.

Both unions have expanded into new categories of workers — laundry workers in UNITE's case, casino employees for HERE — to offset the loss of members brought on by outsourcing and the post-Sept. 11 economic downturn.

As in other service sector unions such as SEIU, UNITE-HERE's national leadership of primarily white males serves a membership that is overwhelmingly female and people of color. California locals represent 50,000 of the union's 440,000 members, but their leadership is more diverse and includes some from the rank and file.

UNITE-HERE flexed its newfound muscle this month when it struck four San Francisco hotels, and was locked out of 10 others, demanding a two-year contract that would allow the city's members to bargain simultaneously with hotel workers across the country.

— Felicia Mello

NEW POWER

California State Employees Association

The California State Employees Association (CSEA) is the state's largest employee organization, representing 140,000 active employees and retirees within four groups of state workers. Its contemporary power, both in numbers and politically, stems in part from a strategic decision 20 years ago to affiliate with the Service Employees International Union. Local 1000, the largest SEIU unit representing 90,000 civil service state employees, is also the largest affiliate of CSEA.

Historically, the association was a pioneer in civil service reform, group insurance and the 40-hour work week. Arguably, its crowning achievement was also its first — passage of a 1930 ballot measure amending the state constitution to create a public employees' retirement system, now one of the largest in the world.

It was an extraordinary achievement, pulled off by the fledgling association in the depths of the Great Depression. Another 46 years would elapse before state employees gained formal collective bargaining rights with passage of the Dills Act in 1977.

Last November, CSEA member-representatives overwhelmingly elected a new leadership team, consisting of four members from an internal reform group called the Caucus for a Democratic Union (CDU).

In June, the CSEA and budget negotiators agreed to a change in the state pension system aimed at saving the cash-strapped state $2.6 billion over the next two decades. Under the new plan, state workers will not become a part of the California Public Employees' Retirement System until two years after they are hired. During that time, new employees would be allowed to sock away 5 percent of their income, before taxes, into an interest-bearing account administered by the state.

— Shlomi Simhi

California Correctional Peace Officers Association

The California Correctional Peace Officers Association (CCPOA) was politically weak when it began in 1957. In the 1980s, then-CCPOA Pres. Don Novey used the power of campaign contributions and aggressive lobbying to forge one of the most powerful labor organizations in California. By 1992, the CCPOA ran the state's second largest political action committee.

The CCPOA has contributed millions to various legislative and statewide candidates, including the largest single campaign contribution to a candidate in California history to Gov. Pete Wilson in 1994. It also was Gov. Gray Davis' largest political donor. The CCPOA simultaneously lobbies for increases in prison guard wages, and longer prison terms and more punitive sentences for criminals.

— Timothy Wheeler

California Teachers Association

With over 300,000 members and $16 million worth of campaign contributions in the past year, the California Teachers Association is one of the state's most powerful unions and one of the most influential interest groups in Sacramento. Over the years, it has used both its membership and campaign contributions to help elect an army of allies to the Legislature and to statewide offices, especially superintendent of public instruction. It also has been instrumental in passing (or defeating) a variety of ballot initiatives seen as beneficial (or harmful) to teachers. The most notable measure sponsored and promoted by CTA was Prop. 98 in 1988, which guarantees a certain percentage of the state budget is spent on education.

Despite its considerable clout, the CTA can recognize the inevitable, as it did last year in the face of the state budget deficit. It made a key deal with the Schwarzenegger administration, agreeing to endorse a spending plan that fell some $2 billion short of Prop. 98 guarantees.

The CTA began as an administration-aligned professional organization that for years fought its more progressive rivals, the California Federation of Teachers. But after securing collective bargaining legislation for teachers in the

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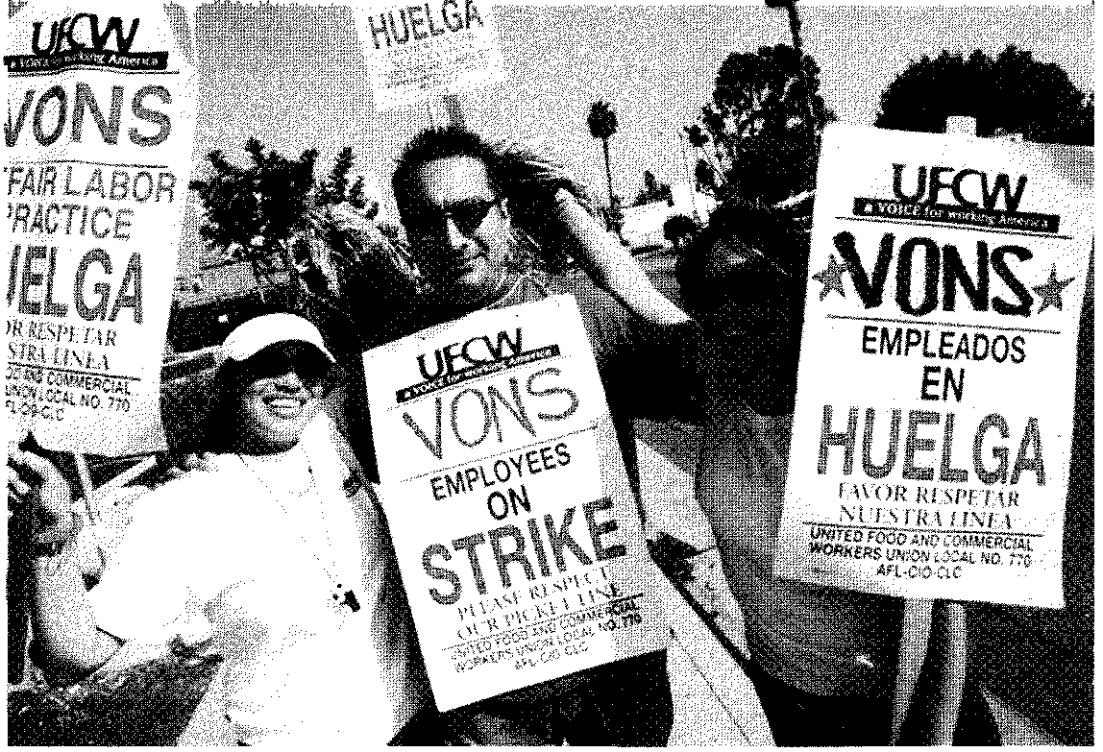

Grocery workers striking at a Von's Market in Los Angeles. Photo: Ted Soqui, Corbis 10/03

1970s and passing a complete transformation of the state's budget allocations for education in the 1980s, the CTA grew into a well-organized force.

— *Alexandra Berzon*

United Food and Commercial Workers

The United Food and Commercial Workers was formed in 1979 from a merger of retail clerks and meat cutters unions, and has grown to represent 1.4 million members in the United States and Canada — 800,000 in grocery work, 250,000 in meat and food processing and 100,000 in healthcare.

But in California, the UFCW is best known for its grocery store workers — thanks to last winter's contentious 20-week strike against three Southern California grocery chains. The strike grew out of the union's fight to maintain salaries and benefits for its 125,000 members as part of a larger union push to counter the impact of Wal-Mart, the retail giant which plans to open non-union superstores throughout California.

Thus far, the union has been unsuccessful in organizing at Wal-Mart itself and has taken some of its fight to the Legislature. Its most recent effort — a bill to require an environmental impact report on "big box" Wal-Mart-style superstores before they can open in California — was vetoed by Gov. Arnold Schwarzenegger.

The 2003-04 strike, which ended in February, affected some 70,000 workers and achieved mixed results. The action inflicted serious damage to three supermarket chains while delivering on a promise for company-paid health benefits for its current members over the next 24 months. But the union also swallowed a two-tiered pay and benefits system that critics say will result in a lower-paid workforce. Other union leaders criticized the strike as poorly executed.

The fight now moves to Northern California, where the UFCW began bargaining in September with three grocery chains for a new contract for its 50,000 members. The union and the chains already are at loggerheads, and the threat of another strike looms.

— *Tomico Geron*

Service Employees International Union

The Service Employees International Union, is the largest and fastest-growing union in California and the nation. More than 1.7 million North American members — some 550,000 of whom are in California — work in healthcare, home care, public services, building services and horseracing. Since 1996, the union has added almost as many members to its ranks as it had since its founding in 1921. Based on the theory that membership equals strength, the SEIU spends half its annual budget on recruitment.

The technique seems to have worked. Only 13 percent of all workers nationwide are union members, while 80 percent of California healthcare workers are organized. The SEIU recently won major victories in California, including organizing more than 100,000 homecare workers, supporting the Justice for Janitors strike in Los Angeles, and signing on three of California's five large hospital systems. The union is on the forefront of efforts to legalize working immigrants.

Even with its emphasis on organizing, the SEIU won't accept any worker who comes to its door, believing instead that to consolidate strength, the union must dedicate itself to certain industries. To achieve power within industries, the SEIU changed the way it is structured, organizing locals by profession rather than mixing janitors, nurses and security guards in the same local. SEIU's small, multi-industry locals then are merged into mega-locals made up of members who do the same kind of work. Health care workers in northern and southern California, for example, have united into locals 250 and 399, and could merge into one statewide healthcare local.

Supporters say it's critical for other unions to model themselves after the SEIU to succeed in the modern era of big, multi-national corporations. But critics say the strategy erodes union democracy by concentrating power at the top, and that the SEIU's massive recruitment comes at the expense of keeping current members happy.

— *Claire Miller*

Emilia Pablo also contributed to this report. Send comments to **comments@californiajournal.org**

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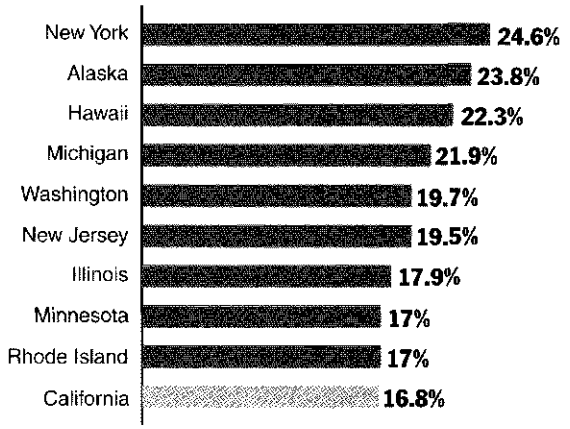
UNION MEMBERSHIP BY STATE

Although California had the largest number of union members (2.4 million) of any state in 2003, it ranked lower as a percentage of total employees, according to U.S. Dept. of Labor statistics. Of the country's 15.8 million unionized employees, roughly half live in six states: California, Illinois, Michigan, New York, Ohio and Pennsylvania.



LABOR'S HIGHS AND LOWS

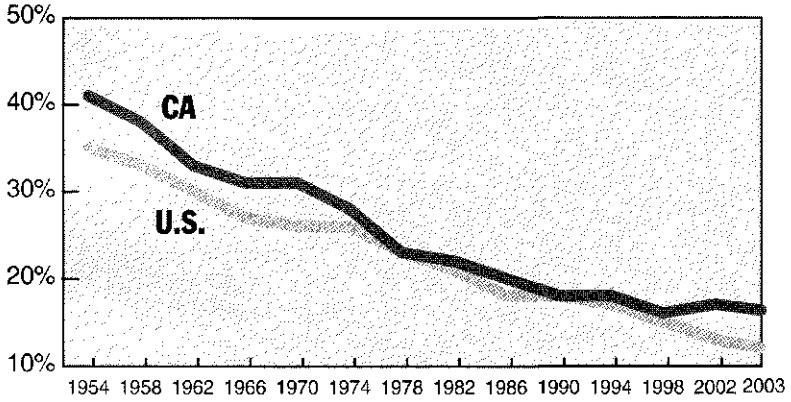
Labor unions — both in California and nationwide — have been on a slow, steady decline since their heyday in the 1940s and '50s. Although union membership rallied in the late 1990s, with several national unions pouring resources into recruiting new members, it was a short-lived plateau. According to a recent study, union membership in the U.S. hit 13 percent of all wage and salary workers in 2003 — the lowest level in the last half-century.

Although California generally mirrors that national trend, unions have fared better here in some respects. Although it has a weaker base of industrial/manufacturing unions, the state's public sector, education and health care union membership are more robust. California's unions also exert more political influence than in most other states.

labor marches on

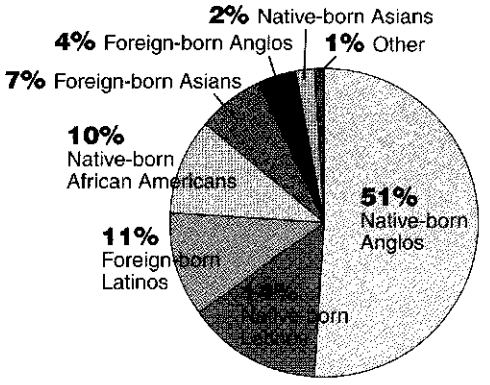
UNION MEMBERSHIP OVER 50 YEARS

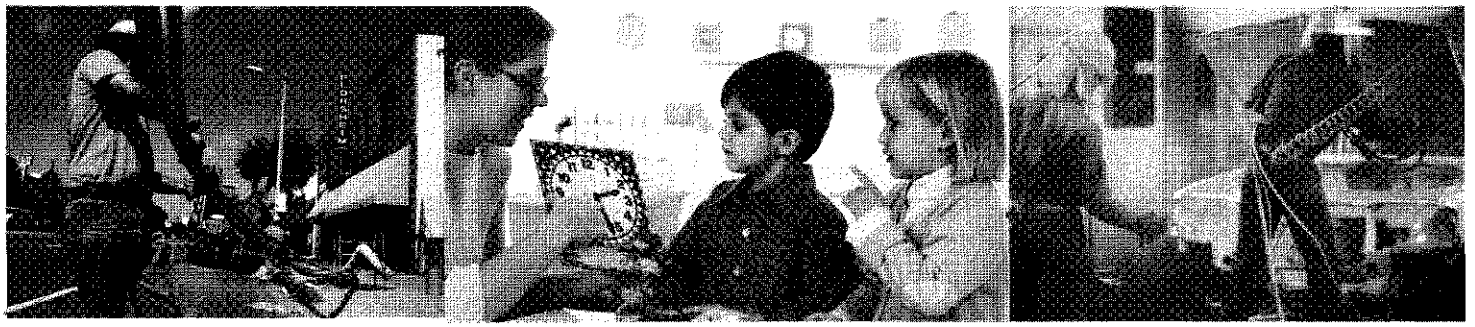
Although union membership has been on a downward cycle nationally since the 1950s, California saw a slight uptick in recent years. In 2002, union membership inched upward to 17.8% of all wage and salary workers — a gain from 16.1% in 1998. But in 2003, it edged down again, to 16.8%, not including non-union workers covered by union contracts.



ETHNICITY OF CA UNIONS

Although native-born Anglos dominate the ranks of union membership, the state's unions overall are far more diverse than nationally. Immigrants, targeted by union organizers in recent years, are 22.1% of California's union members, compared with only 11.95% nationwide.





Sources: U.S. Dept. of Labor; Institute for Labor and Employment, U.C. Berkeley

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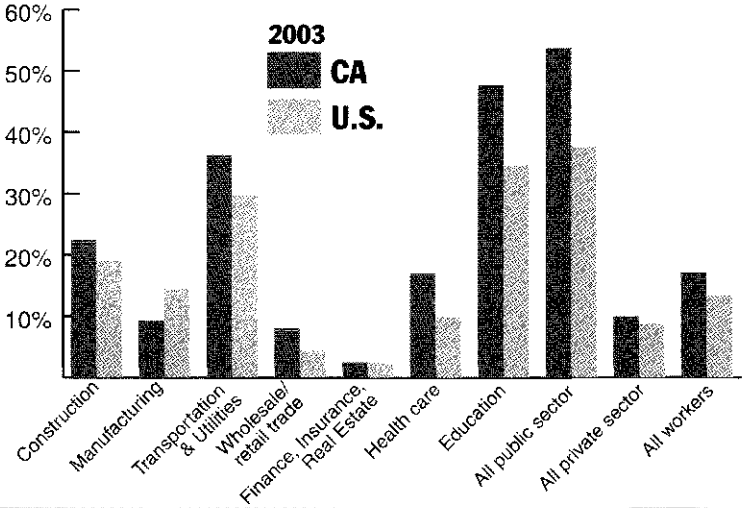
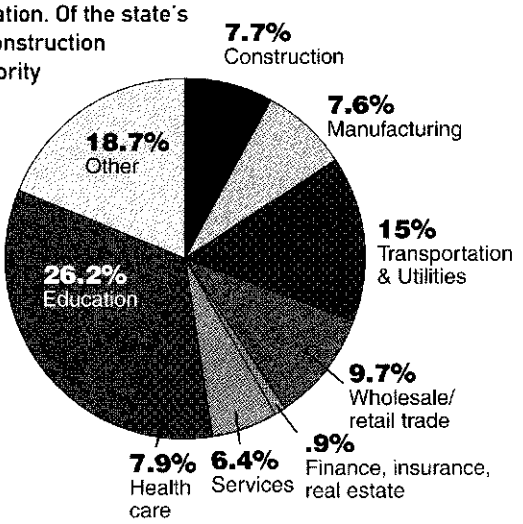
MEMBERSHIP BY INDUSTRY

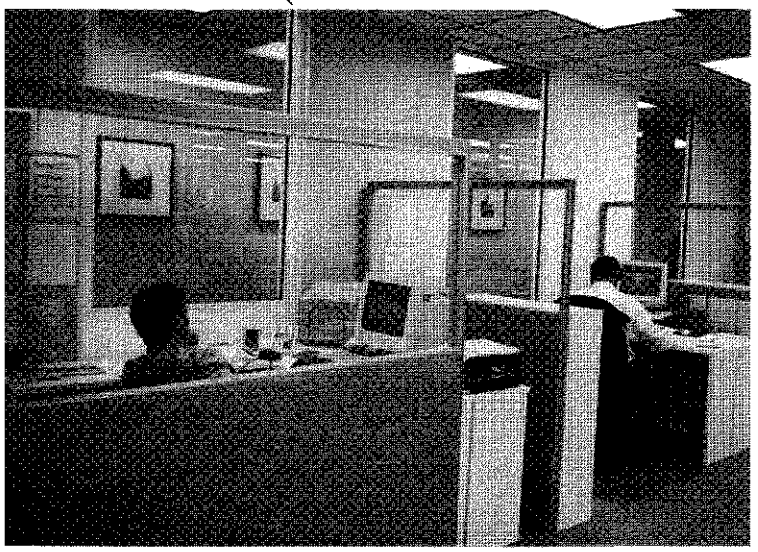
Compared to the nation, California has a larger percentage of unionized workers in education, construction, transportation and healthcare — and fewer in manufacturing. California leads the country in rapid growth of public sector union jobs.



WHO WORKS WHERE

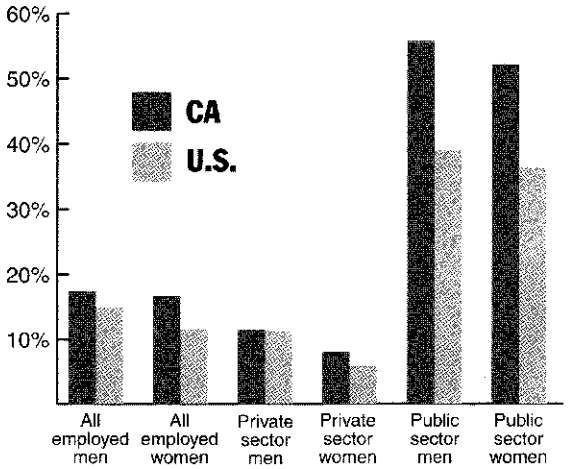
Over 25% of all union members in California in 2002 are in education. Of the state's 7.7% unionized construction workers,the majority are in highway and commercial construction since most residential construction jobs are non-union.





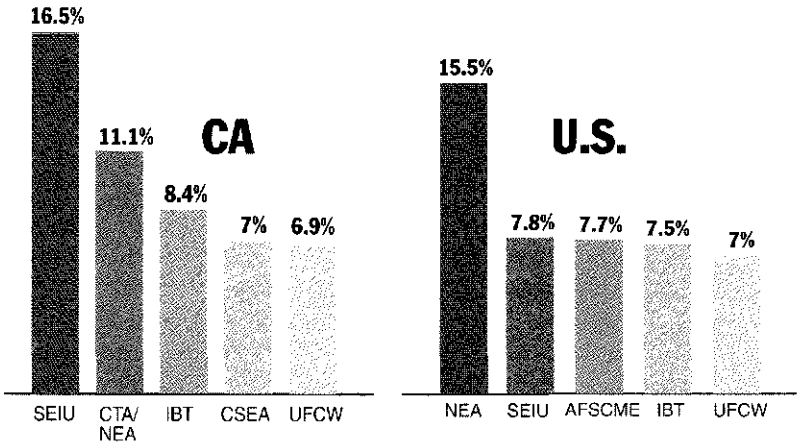
UNIONS BY GENDER

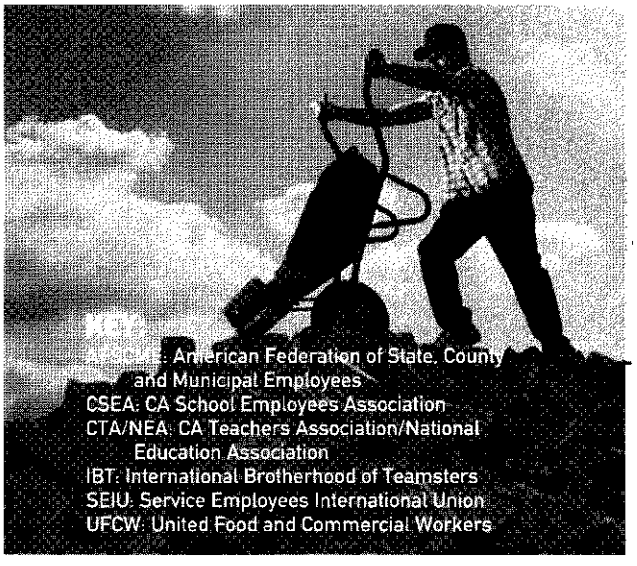
Although historically, women are far less likely to be unionized than men, the gender gap in California (17.4% men vs. 16.8% women) is narrower than nationally.



TOP-DOG UNIONS

In terms of sheer numbers, the powerhouse in California among international unions is the SEIU, which had 16.5% of all union members in 2002. The second-largest union is the California Teachers Association. Not included in these statistics are smaller unions unique to California, such as the United Farm Workers and correctional peace officers.




AFSCME: American Federation of State, County and Municipal Employees
CSEA: CA School Employees Association
CTA/NEA: CA Teachers Association/National Education Association
IBT: International Brotherhood of Teamsters
SEIU: Service Employees International Union
UFCW: United Food and Commercial Workers

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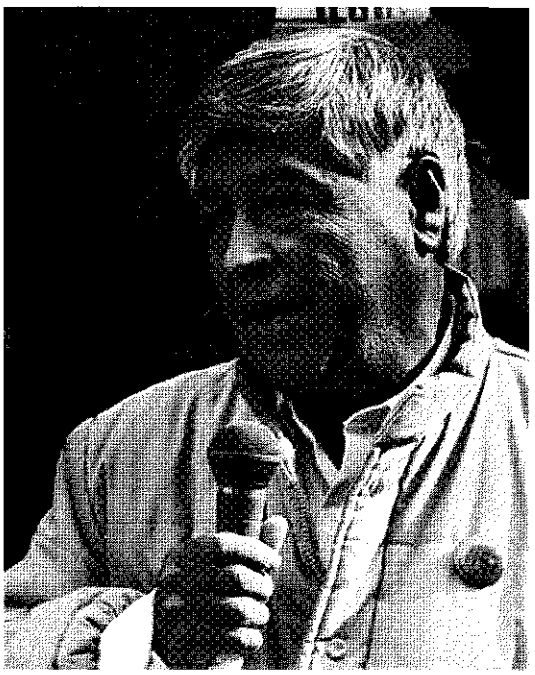
UFW: Faded glory?

Listen to the sounds of California's typical farm harvest and you're likely to hear the whir of machinery, the rustling of fruit-laden trees and now, increasingly, the pumping beat of norteño music and the voices of radio talk-show banter.

From Salinas to Bakersfield, increasing numbers of agricultural workers tune in to the Spanish-language Top 40 tunes and social commentary broadcast daily by Radio Campesina, the nine-station network affiliated with the United Farm Workers.

In the 1960s and '70s, Cesar Chavez and the United Farm Workers led strikes, boycotts, fasts and 300-mile marches that galvanized the nation and rallied support for the plight of farm workers. Today, Chavez might not recognize the union that has evolved since his death. Its membership has shrunk to drastically low levels but it's migrated into new kinds of organizing and activism, from low-income housing to Spanish-language radio stations. By Cheryl Miller



Cesar Chavez, founder of the United Farm Workers

DJs dish out jokes, news and popular Mexican music in the "drive-time" morning. Afternoons feature discussions on health care, government-aid programs and workers' rights. The blend of music and message is geared to the 25- to 49-year-old recent immigrants who make Radio Campesina outlets some of the most listened-to Spanish-language stations in California, Arizona and Washington.

"The music is only a hook," said Radio Campesina President Anthony Chavez, son of the late UFW co-founder Cesar Chavez. "It's like an organizer knocking on a door. We hope listeners will connect the UFW with Radio Campesina and say, 'Yeah, this guy's OK'."

The line separating the UFW's dual identities of labor union and social movement has always been blurry. But that distinction has rarely been as hazy as it is today, as the union confronts profound changes in immigration, the economy and the agricultural industry.

With union membership flagging in the fields, the UFW has sharpened its focus on a half-dozen sister organizations — with assets of more than $125 million — that comprise what leaders call the farm workers' movement. In addition to Radio Campesina, the UFW has ties to low-income housing projects, tax and

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A poster for a 1960s concert in NYC benefiting the UFW's boycott of California-grown table grapes.

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immigration form preparation services, a philanthropic foundation and a pension plan that serves 10,000 laborers.

According to UFW President Arturo Rodriguez, the movement's goal through the next decade is to improve the lives of 10 million Latinos, not just farm workers.

"The collective bargaining process is not the only way of doing that," he said.

United Farm Workers supporters rally at the state Capitol in 2002 after a 150-mile march from Merced to lobby for a binding arbitration bill. The walk recreated a similar march led by Cesar Chavez in the 1960s to support a boycott of table grapes.

Flying colors

The red and black flag of the United Farm Workers still flies in California, though less frequently over the fields where it was born some 40 years ago.

The labor union represents 27,000 workers today, according to its leaders, a significant drop from a membership peak of more than 60,000 in the late 1970s. Documents filed by the UFW with the federal government reported only 6,000 members at the end of 2002, a figure union officials say doesn't represent the true number working under a UFW contract during busy harvest times.

Whatever the actual number, the UFW, Teamsters and other unions had 225 farm labor contracts in 2002. But if individual pacts covering workers at the state's dairies and poultry farms are taken from the count, the unions had fewer than 30 contracts representing less than 1 percent of California's field workers, according to Philip Martin and Bert Mason, two university researchers specializing in agricultural economics.

Today, the UFW's eagle and its symbol of iconic power are more readily found away from California's farms and fields, perhaps no place more visibly than in the Capitol offices of California's Democratic legislators. There, support for the union has become a virtual litmus test for left-leaning lawmakers and a historic symbol for the increasingly powerful Latino Caucus.

Urban legislators who never stepped foot in a field but cut their political teeth on the 1960s grape boycotts and Mexican-American civil rights movement have been crucial allies of the UFW. Polls conducted by Democrats in non-agricultural regions of California give the UFW high ratings for trust and respect among voters across all ethnic backgrounds.

"We'll never be able to compete [against the growers] with money, but we know that we'll always be able to compete in votes," said Giev Kashkooli, the UFW's political director.

Victories in the Legislature

The UFW has enjoyed significant political victories in recent years, even though growers remain a powerful, well-funded opponent in the Legislature. Most notably, lawmakers declared Cesar Chavez's birthday a state holiday in 2000. Two years later, legislators passed a mandatory mediation law that forces a grower and union members into a pact if contract negotiations stall.

Although California's landmark Agricultural Labor Relations Act of 1975 gave farm laborers the same organizing rights as other workers, the UFW often found the law toothless in forcing growers to sit down at the negotiating table.

The agricultural industry, which contributed millions to then-Governor Gray Davis' campaign coffers, pressured the governor to veto the mediation bill. At the same time, the UFW staged a 10-day, 150-mile march of 5,000 farmworkers from Merced to Sacramento to exert its own public pressure.

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Following a 10-day march up the Central Valley to California's Capitol, Dolores Huerta (above) and UFW President Arturo Rodriguez (left), urge state legislators to support a binding arbitration bill.

"It was not popular among a lot of elected leadership," Kashkooli said. "There were several who said, 'Hey, this is an election year. Can't we just take care of this next year? To march on a Democratic governor isn't right.'"

Davis signed the legislation. Agricultural groups have since sued to overturn the law, but UFW leaders say the mere threat of mediation has already led to the signing of at least one new contract.

"The Legislature is made up in such a way that it favored the sponsors in getting their bill through," Mike Webb, a lobbyist for the Western Growers Association, told a farm-labor forum in September. "As we got to the last couple of weeks in the Legislature, I think Governor Davis saw he had a train wreck coming and he was going to do everything he could to avoid it."

Part of the union's success stems from the political acumen of Richie Ross, the longtime Democratic consultant who voluntarily represented the UFW for years before the union made him a paid lobbyist. The UFW also enjoyed staunch support from former Senate leader John Burton (D-San Francisco), who told union marchers in 2002 that he would "never forgive" Davis if he didn't sign the mediation bill.

Some observers say the UFW victories also point to a political shift in the Central Valley, where growers could once count on rural Democrats to derail most farm worker initiatives. This year, state Senator Dean Florez (D-Shafter) successfully pushed a bill to compensate laborers who become sickened after pesticides are applied to fields.

"You think of what used to be called farmer-friendly Democrats, and I think what you find today is ... we're friendly as well, we're just more balanced," Florez said. "Many times I hear in the Valley the term 'double-cross.' And I never really understand that because we're elected to represent the citizens, and that includes both farmers and farm workers."

Growing new alliances

Growers say, however, that the union victories come at a high cost to California given the increasingly global industry and overseas competitors with much lower labor costs.

"The American consumer doesn't seem to care where their produce comes from as long as it's cheap," Webb said.

Growers have turned increasingly to labor contractors to supply their work force, making the union's organizing job even more difficult. Labor contractors now bring more than half of all farm workers to the fields, according to professor Martin of the University of California, Davis.

"In Salinas ... if you go down to the Foods Company parking lot in the summer about 8 o'clock in the morning, you'll see 80 to 100 buses picking up thousands of workers," said attorney Mary McCartney, a UFW executive board member.

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Grape picking in the Central Valley. Photo: Migrant Photography Project

Top: Wall mural in Chicano Park, San Diego. Photo: JoAnn Comejo
Above: Harvesting olives. Photo: Migrant Photography Project

California's labor contractors have a huge labor market to tap. Starting in the mid-1980s, collapsed economies in Mexico and Latin America drove hundreds of thousands of job-seeking immigrants to California. When Chavez and Dolores Huerta launched the UFW in 1962, California's farm labor force included many U.S.-born Latinos, Filipinos and some African Americans. They envisioned union-sponsored hiring halls where growers hired workers based on seniority.

The hiring halls never flourished, however, and today more than 90 percent of seasonal farm workers were born outside the United States. At least half are in the United States illegally, according to studies performed by Martin and others. Deportation and job loss are constant threats.

"The [union] organizer's greatest enemy is the worker's fear," said longtime UFW spokesman Marc Grossman.

What's more, many farm worker immigrants of recent years are indigenous Indians from Mexico's southern states such as Oaxaca and Chiapas. Many of these laborers don't speak Spanish and don't know what a union is, let alone who Cesar Chavez was. Traditionally, these workers connect much more closely with leaders and cultural organizations from their own country than local labor leaders, said Arnold Torres, executive director of the California Hispanic Health Care Association.

"It's a population that doesn't trust outside organizations," Torres said.

Ironically, the same immigration factors that have hampered UFW organizing efforts have helped forge an unusual alliance with some agricultural groups. In August, Peter Orum, president of the American Nursery and Landscape Association, gave a historic speech at a UFW convention in Fresno, calling for mutual support of a federal bill known as AgJOBS that would grant legal status to some established laborers. The UFW and many growers back the controversial immigration legislation, which is unlikely to reach the president's desk before next year.

"If the ag industry is going to be viable in this country, it's imperative for them to work with us on other issues in the future," UFW President Rodriguez said, "because if they try to do it on their own, they'll never make it."

In Bakersfield, Anthony Chavez is preparing for Radio Campesina's future. Network leaders are readying bids for eight new stations. He envisions a day when Radio Campesina syndicates its programming, allowing the pro-UFW message to reach more workers.

"Things change all the time, and it's hard for people to accept change," Chavez said. "We're doing the same things we've always done. We're just doing things on a different level."

Cheryl Miller is a freelance writer and former Stockton Record *reporter. Comments may be sent to* **comments@californiajournal.org**

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Miguel Contreras, L.A.'s labor man

by Anthony York

In some ways, Miguel Contreras was the logical reaction to Gov. Pete Wilson's second term. Contreras assumed control of the Los Angeles County Federation of Labor just two years after the 1994 gubernatorial campaign, a campaign centered on Prop. 187, which sought to eliminate access to public health and education programs for undocumented immigrants. Contreras positioned organized labor as the voice for California's booming, and newly politicized, immigrant population, at a time when both legal and illegal immigrants were being targeted by state and federal laws.

Contreras seized upon the new immigrant politics to renew the strength of organized labor as a political force, both in Los Angeles and in state government. As head of the 800,000-member Los Angeles County Federation of Labor, Contreras breathed new life into an organization that became central to any Democrat's electoral hopes in Los Angeles. By identifying a connection between class and ethnicity, Contreras increased labor's political power as the issue of ethnicity came to the forefront of California politics.

When Contreras took over the organization in 1996, labor influence was on the wane. By the end of the decade, Contreras' allies were among the most powerful politicians in the state. In 2001, Contreras ally Antonio Villaraigosa used the backing of organized labor to nearly become the city's first Latino mayor in more than a century.

But Villaraigosa's defeat symbolizes the crossroads for Contreras' power in Los Angeles. Though labor has a strong hold on Democrats in Sacramento — Assm. Spkr. Fabian Nunez is a former political director under Contreras, and Senate Pres. pro Tem Don Perata was elected to his new leadership post with Contreras' support — labor does not have the power to single-handedly deliver a big-time race like Los Angeles mayor. While Democrats around the state rely on labor's ability to turn out the union and Latino vote on Election Day, an endorsement from labor doesn't necessarily guarantee victory.

Still, among Democrats seeking elected office in Los Angeles, the endorsement of Contreras is coveted. Among the new crop of legislators en route to Sacramento, some have come through contested Democratic primaries with help from Contreras, among them Karen Bass and Hector De La Torre.

While the labor federation has been criticized for being too ethnic-focused under Contreras' leadership, he has proven to be a savvy political operator, able to cut deals with past political rivals. Though the group opposed the election of Mayor Richard Riordan in 1993, Riordan and organized labor quickly made peace, and the labor federation backed his re-election in 1997.

Similarly, after Contreras worked hard for Villaraigosa in 2001 against fellow Democrat James Hahn, Contreras and Hahn immediately came to a detente. Hahn improved his relationship with labor during the fight against San Fernando Valley secession, and even appointed Contreras to the city airport commission.

> Contreras increased labor's political power as the issue of ethnicity came to the forefront of California politics.

But for all their renewed political power, Contreras and organized labor came up short on two recent tests of power. Contreras' support for the Villaraigosa campaign turned that election into a test of power, which labor lost. This year, Hahn has secured enough union support to block the federation from formally endorsing Villaraigosa.

The recall election also was a blow to the newfound strength of labor candidates. Labor worked hard to elect Gray Davis after Wilson aggressively went after union political power in 1998. Battles between Wilson and labor unions marked every single Wilson budget, and it may only be a matter of time before Schwarzenegger begins leaning hard on unions to help the state out of its budget deficit.

As Harold Meyerson wrote during the recall campaign, "a victory for Arnold would ultimately mean a restoration of the ancient regime ... Democrats in general and the labor-Latino alliance most particularly are determined to demonstrate that California's white, middle-class uprisings can no longer knock the state off its new political axis."

It was a fight that labor lost. And as the state's budget woes continue, the popular Republican governor could well test the strength and political popularity of labor unions in future budget battles. And ultimately, those battles could become the real test of Contreras' political power.

Anthony York is editor of Political Pulse. *Send comments to* **comments@californiajournal.org**

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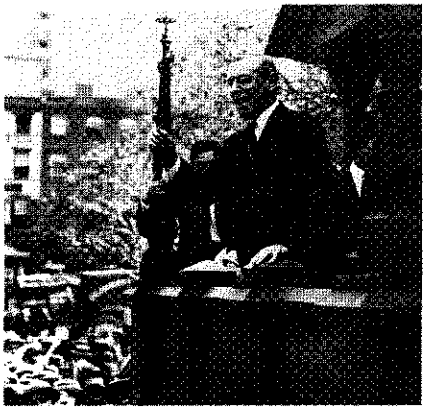
A CENTURY'S LOOK AT LABOR

From the podium of the Commonwealth Club

Editor's note: For a hundred years, the Commonwealth Club of California has sponsored notable speeches on public affairs, delivered by the world's most influential and powerful policy makers. The most significant of those speeches were recently published in "Each a Mighty Voice" edited by Steven Boyd Saum and published by Heyday Books of Berkeley. What follows are excerpts from Commonwealth Club speeches that comment on labor or the labor movement.

President Woodrow Wilson

"... civilization proceeds on the principle of understanding one another. You know how peace between those who employ labor and those who labor depends upon conference and mutual understanding. If you don't get together with the other side, it will be hostility to the end. And after you have heard the case of the other fellow it sometimes becomes a little awkward for you to insist upon the whole of your case." (September 18, 1919)



New York Governor Franklin D. Roosevelt

"But [Thomas] Jefferson, in the summer of 1776, ... did not deceive himself with outward forms. Government to him was a means to an end, not an end in itself; it might be either a refuge and a help or a threat and a danger, depending on the circumstances. We find him carefully analyzing the society for which he was to organize a government. 'We have no paupers. The great mass of our population is of laborers, our rich who cannot live without labor, either manual or professional, being few and of moderate wealth. Most of the laboring class possess property, cultivate their own lands, have families and, from the demand for their labor, are enabled to exact from the rich and the competent such prices as enable them to feed abundantly, clothe above mere decency, to labor moderately and raise their families.'" (September 23, 1932)

Cecil B. De Mille, director

"It's Hollywood's job to tell [the] American his own story, and to tell the world what he's really like and why. It's your job to keep that story true. Hollywood will reflect the America that you make. For one hundred and sixty years, America has been unconquered by any foreign foe. Our greatest weakness, perhaps our only weakness, is from within; from the termites in government; from the Communist minorities in labor; from the little groups in certain churches who put the spirit of Lenin ahead of the spirit of truth; from the misleaders of youth who teach the principles of Karl Marx instead of the principles of Jefferson, Franklin, and Lincoln." (November 7, 1947)

Congresswoman Bella Abzug (D-New York)

"[Women] have been almost invisible in government at all levels; in the courts, in the legislatures, on the boards of directors of banks and corporations and the executive councils of organized labor, among the elite of the academic world and the churches and, I suspect, even among the guests of The Common-

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wealth Club. ... More than 40 percent of our workforce are women. I know the popular myth is that the woman's place is in the home. When I first ran for office in 1970, I said, 'This woman's place is in the House — the House of Representatives.' The workforce of women are used primarily as a source of cheap labor. One union has estimated that industry saves at least $19 billion a year by discriminating against women, paying them less than men for doing the same work, or shunting them into lower-paying job categories." (March 23, 1973)

President Ronald Reagan

"One example of protectionist legislation that could quickly sabotage recovery is the local content rule. This legislation proposed in the Congress would force foreign and domestic manufacturers of automobiles sold in the United States to build their cars with an escalating percentage of U.S. parts and domestic labor. The congressional budget office concluded that this would destroy more jobs than it would save. It would also add substantially to the cost of a new car." (March 4, 1983)

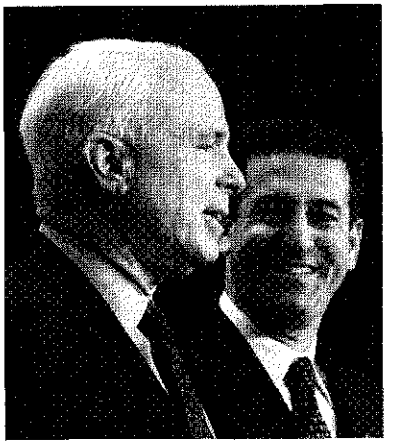
Bishop Desmond Tutu

"Children starve not accidentally; children starve by deliberate government policy, because South Africa is normally a net exporter of food. The father has to leave his family, eking out a miserable existence in those Bantustan resettlement camps, whilst, if he is lucky, he goes to be a migrant worker in the white man's town, to live for eleven months of the year separated from his family, and he lives in a single-sex hostel. The migratory labor system, which even the white Dutch Reformed Church, which is not noted for being quick to condemn the present government, condemned long ago as a cancer in our society-that migratory labor system is very firmly in place in this time of reform." (January 22, 1986)

President William Clinton

"But trade is not an end in itself. It has to work for ordinary people; it has to contribute to the wealth and fairness of societies. It has to reinforce the values that give meaning to life, not simply in the United States, but in the poorest countries, struggling to lift their people to their dreams. That's why we're working to build a trading system that upholds the rights of workers and consumers, and helps us and them, in other countries, to protect the environment, so that competition among nations is a race to the top, not the bottom. This year we will lead the international community to conclude a treaty to ban abusive child labor everywhere in the world." (February 26, 1999)

U.S. Senator Russ Feingold (D-Wisconsin)



"I assume that money and politics were interrelated and intermingled and were a problem even in ancient Rome. These two things will always go together. But what has happened in the last five to seven years is unprecedented. It has never been allowed for corporations in this country, since 1907 and the Tillman Act, to give contributions to political parties and the candidates. Since 1947, the Taft-Hartley Act, labor unions were also prohibited from giving unlimited contributions to the political parties or the candidates. So how did this happen?" (March 12, 2001)

Excerpts from
"Each a Mighty Voice:
A Century of Speeches from The Commonwealth Club of California"
Edited by Steven Boyd Saum
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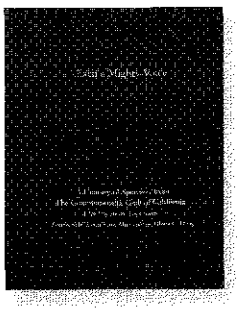

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THE BELEAGUERED KEVIN SHELLEY

California's embattled secretary of state comes from an old-line political family that flourished in a world that hardly exists today. Shelley's father served in Congress and as mayor of San Francisco. His first political job came from Phil Burton. But his survival depends on overcoming personal demons he can barely control.

By Robert B. Gunnison

Throughout his life, the connection between politics and family has never been far from the mind of Kevin Francis Shelley. When he was 11 years old, Shelley already knew the price that politics could extract from a family. "Just because you have to get your pictures in the papers to keep your lousy job is no reason I have to," the boy told his father, who happened to be mayor of San Francisco.

Those words were recorded in a 1967 newspaper magazine profile of Mayor John Francis Shelley. The cover photograph showed Kevin looking admiringly at his father at the wheel of the family sailboat. From his appearance, the mayor, then 61, could have been Kevin's grandfather. In the background is the city skyline; in the foreground is an ashtray. In 1974 Jack Shelley was dead of cancer.

Thirty years later, his son is fighting for his political life, the focus of no fewer than eight separate investigations.

Kevin Shelley is the legacy of a political world that barely exists in 2004. He was born into a family where being Irish and devoted to organized labor and the Roman Catholic Church were paths to political success. As mayor, Jack Shelley, one of nine children of an Irish immigrant, admitted he checked with the Catholic archbishop on important issues. It was a city where the archbishop got to name the fire chief.

The younger Shelley fashioned his career in a very different universe, one dominated by term limits. His trajectory from the San Francisco Board of Supervisors to the Assembly and the Secretary of State's Office within 12 years was practically unthinkable until 1990 when voters created a political revolving door of opportunities for elected officials and little time for on-the-job training.

In 2002, Shelley was elected secretary of state — in the pre-term-limit world, one of the most stable jobs in state government. He defeated former Secretary of State March Fong Eu in the Democratic primary and former Republican Assem-

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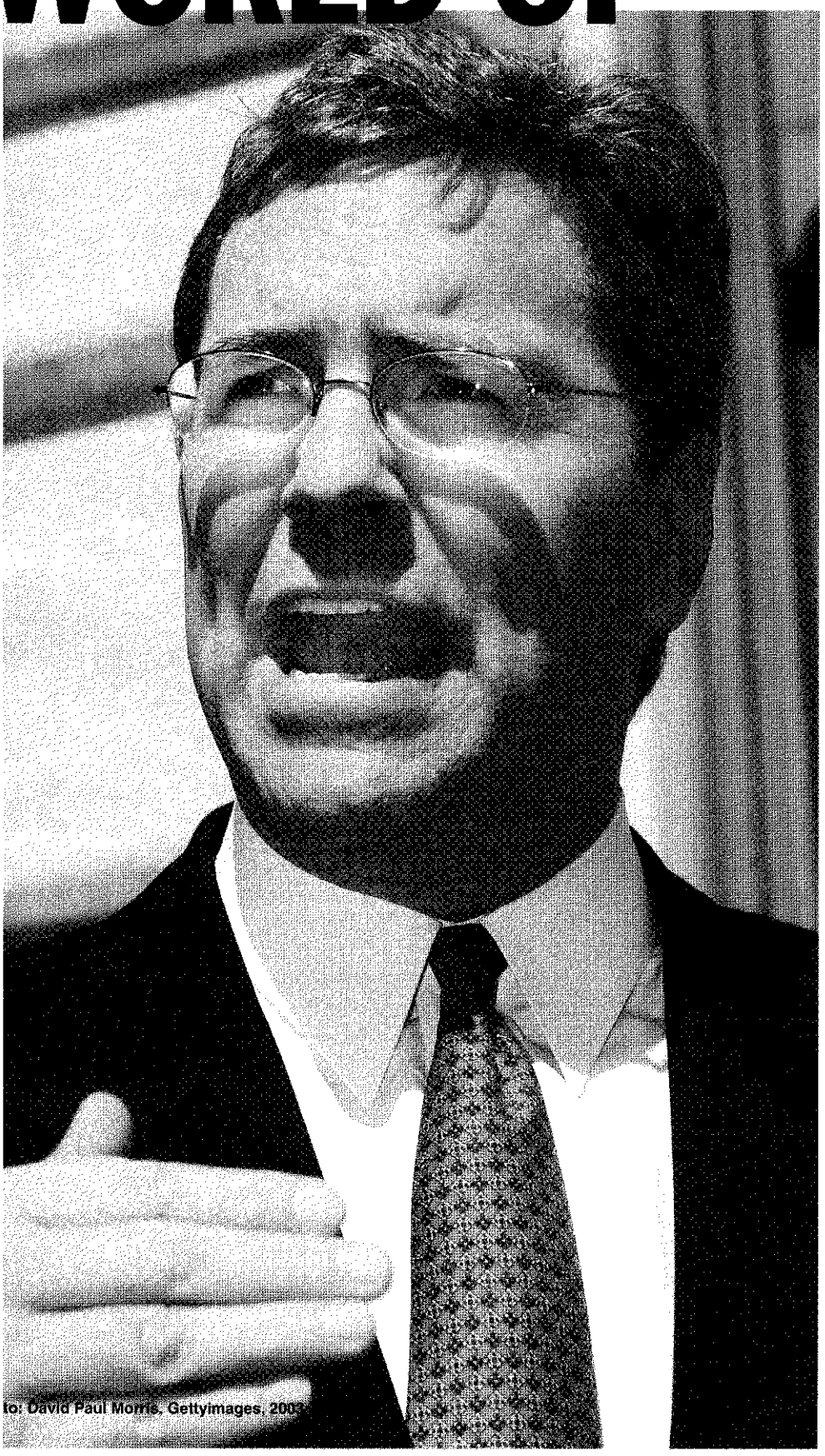
WORLD OF



to: David Paul Morris, Gettyimages, 2003

blyman Keith Olberg in the general election.

Today, Shelley, 48, stands in a firestorm of criticism, amid demands for his resignation and investigations that range from the FBI to the state Department of Real Estate. He is suspected of hiding the source of thousands of dollars of campaign contributions in a not-very-complex scheme involving a San Francisco fund raiser and of using federal money designated for non-partisan voter registration efforts for political purposes. He is not conducting interviews.

The most serious problem for Shelley centers on a $500,000 grant that Shelley, while a member of the Assembly, steered to the nonprofit San Francisco Neighbors Resource Center founded by Julie Lee, a Shelley fund raiser. The money was earmarked for construction of a community center for Asian immigrants. The center was never built, and a federal grand jury is investigating. The nonprofit paid $168,750 to three people and two companies for the construction, and Shelley received $25,000 campaign contributions from each, the *San Francisco Chronicle* reported in August. The paper also reported that Shelley's campaign received $80,000 from donors involved in real estate transactions with Lee, perhaps an attempt to hide the source of the contributions.

Applause turns sour

Shelley had a good start as secretary of state, especially for his handling of the delicate recall election a year ago. But the applause quickly faded as Shelley drew hostile fire from country election officials over his handling of the first portion of $264 million in federal grants to help counties purchase new election systems.

As if these problems weren't enough, allegations about the abusive treatment of his staff — including sexually crude remarks and tantrums that first arose when Shelley was in the Assembly — have re-emerged.

"I constantly felt I was working in a sexually charged negative atmosphere," one former scheduler wrote in a complaint reported in *The Sacramento Bee* in August.

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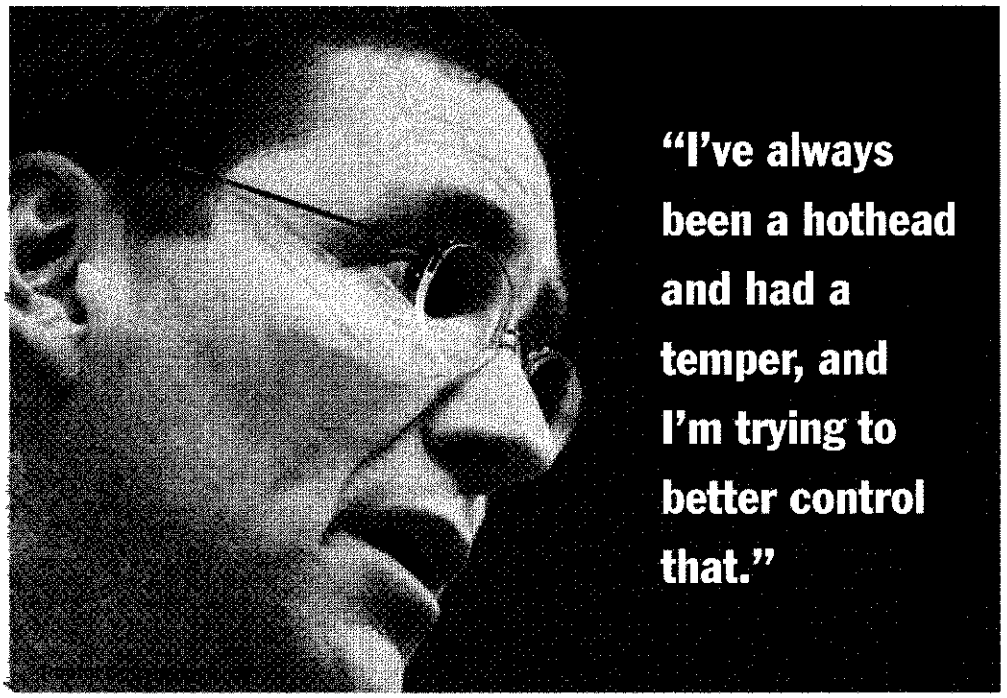

In 1997, when the *Chronicle* first reported Shelley's abuses of his staff, he sat with a reporter in the back of the Assembly chamber. "This could hurt me," he said in an all-too-prophetic remark. "I might run for statewide office."

At the time, Shelley recalled competing for his father's attention, which was not easily shared with his son, despite what the *San Francisco Examiner* magazine cover showed three decades earlier. "He didn't have a whole lot left over to give," Shelley said. "I swore I would not become like him, but I'm sure it rubbed off."

When Kevin was born in Washington, D.C., in 1956, his father had already been in Congress a decade. He was the quintessential Irish pol who danced a jig in his Capitol office on St. Patrick's Day. Jack Shelley was a drinker, too. In the 1967 story, he said he no longer took "the noontime belt," but added, "At home, it'll be a couple before dinner."

But Jack Shelley's roots were genuine. After law school, he turned down a job in Hiram Johnson's law firm to drive a bakery truck because he believed workers should be educated. By age 31, he was president of the San Francisco Labor Council. In 1938, he was elected to the state Senate, then to Congress in 1946. He was prepared to stay in Congress, but a young assemblyman from San Francisco named Philip Burton had other plans.

In the reapportionment based on 1960 census data, Burton, a member of the Elections and Reapportionment Committee, drew a district in San Francisco ideally suited to his own political future at the expense of Shelley. Burton and Shelley had been rivals ever since Burton deposed Shelley's political mentor, Tom Malone.

The late John Jacobs, in his book "A Rage for Justice," details the life of Philip Burton and relates how the path was cleared for Shelley to become mayor so Burton could run for Congress. Despite their rivalry, Burton helped Shelley with a huge get-out-the-vote effort. Burton allies also made off with the precinct lists.

"It's no secret there is no love lost between us," Jack Shelley said later.

In this tempest, Kevin Shelley was a bit player, along with his sister, Kathleen, and mother, Thelma, who had married Jack Shelley after his first wife died in 1952. They regularly appeared in campaign brochures and ads, giving the appearance of a loving, devoted family. One brochure from the 1960 congressional race shows Jack Shelley serving cake to Thelma, Katie and Kevin. "Time out for a family birthday," reads the caption.

The Phil Burton job

Kevin went to St. Ignatius High School, a traditional destination for the politically ambitious in San Francisco, then to the University of California, Davis, where he graduated in 1978. In one of the odder twists of politics, Shelley got a job with Burton, his father's sworn enemy, but not without some help from his mother.

The story as told by Jacobs: Shelley's application had languished on Burton's desk for a year. His mother ran into Burton, who said, "Oh, Thelma, I'm sorry. I didn't know what to do." She said, "Phil, you always were and still are one of the biggest bastards I've ever known." Burton laughed and Shelley got the job. After Burton died in 1983, Shelley stayed to work for his widow, Sala, who repre-

Publisher's Statement

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sented San Francisco until her death in 1987.

Shelley went to Hastings School of Law. He passed the bar in 1988 and confronted a decision not unlike the one his father faced — practice law or enter politics.

"Kevin was an incredibly nice-looking, friendly sort of guy. He had the charm of his father," recalls Jeff Brown, a public utilities commissioner, former public defender in San Francisco and longtime friend of the family. "I said, 'Kevin, you've got to make a choice.'"

"He made his choice," Brown said, and Shelley began positioning himself for a run for the board of supervisors. He was elected in 1990, along with three other new members whose presence symbolized a shift in San Francisco politics — Doris Ward, an African American woman, and Roberta Achtenberg and Carole Migden, both lesbians.

"He was the handsome star, Irishman, labor-connected mayor's son," Migden says. "He was the incarnation of his father, the kind of hometown boy. Roberta Achtenberg and I were seen as the out-of-towners. The rest of us had to make our case. His case was an easier fit. In fairness to him, that's how the world works."

In another twist of the close-knit world of San Francisco politics, Supervisor Angela Alioto, daughter of former Mayor Joseph L. Alioto, who gave Jack Shelley a job as lobbyist for the city after his term as mayor, removed Kevin Shelley as chairman of the board's finance committee in 1993.

When Shelly was re-elected in 1994, he became board president, and appointed Migden as his Finance Committee chair. Within two years, Midgen and Shelley were elected to the Assembly. Migden, now a member of the state Board of Equalization, became chair of the Appropriations Committee, and Shelly was elected majority leader.

His temper goes public

But Kevin Shelley also lived with private demons, and they surfaced in the Assembly when problems with his temper and his staff became public. Then-Speaker Antonio Villaraigosa (D-Los Angeles) warned him about his behavior after the Rules Committee prepared a confidential report. At one point, the speaker dispatched a high-ranking aide to serve on Shelley's staff in an effort to contain both Shelley and any damage that might flow from the assemblyman's growing reputation as a human volcano.

In 1998, the *Chronicle* reported that a security camera in the Capitol captured Shelley trying to block a woman he had fired only a few minutes earlier from getting on an elevator. "I'm talking to people who are helping me with both my demeanor and my anger — and to the extent that it gets misdirected," he said at the time. "I've always been a hothead and had a temper, and I'm trying to better control that."

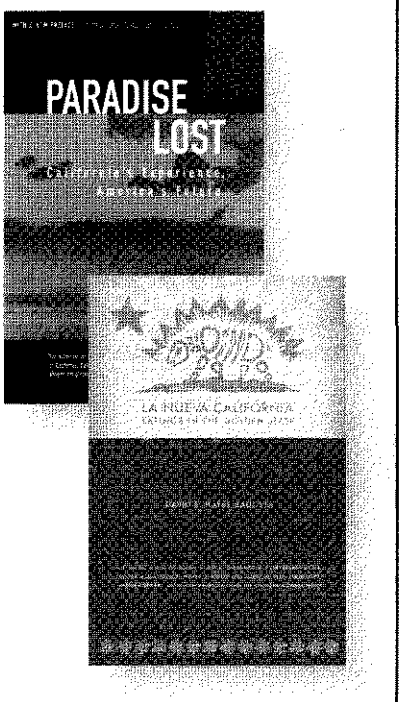
He refused to look at the videotape and talked guardedly about his personal life. He was about to be married to a teacher. But the connection between family and politics remained constant. At the conclusion of the 1998 interview, Shelley asked the reporter for a favor: "Would you run the story when my mother's out of town?"

Controlling the flow of news is no longer an option for Shelley. The bad news keeps piling up, pinching in his options. Some Republicans whisper about impeachment. Insiders speculate about whom Governor Arnold Schwarzenegger will appoint should Shelley resign; the most prominent name is state Senator Jim Brulte (R-Cucamonga), who is termed out this year. And Democrats eyeing statewide offices for 2006 wonder how Shelley's possible departure will affect other races. One, state Senator Debra Bowen (D-Marina del Rey), has already announced she's running for Shelley's job.

For now, Shelley hunkers down, waiting for the investigations to play out. At some point, he must answer to the public and pay the price.

Robert B. Gunnison, a former Capitol reporter for the San Francisco Chronicle, *teaches at the University of California, Berkeley, Graduate School of Journalism. Send comments to* **comments@californiajournal.org**

California Focus



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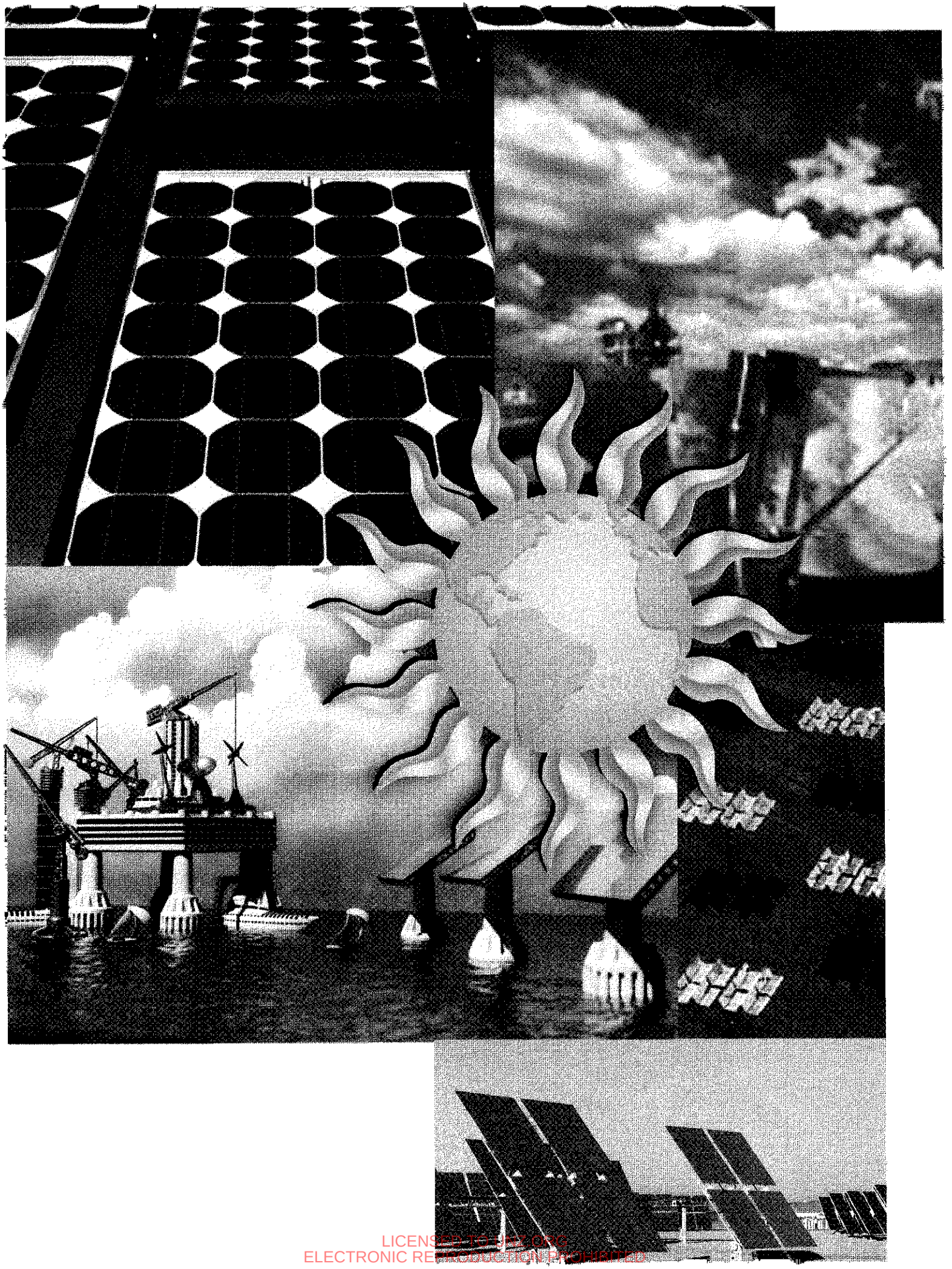

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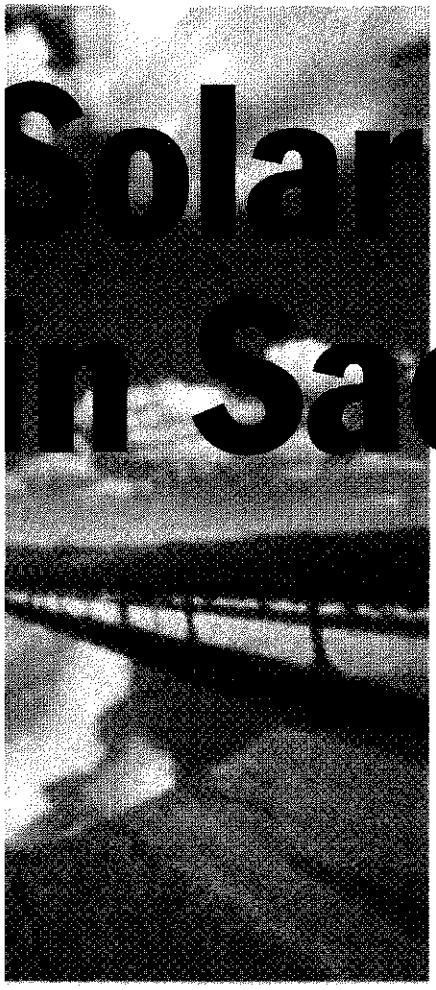

Solar Showdown in Sacramento

It appeared the sun would shine this year on the solar industry's efforts to spread more solar panels on rooftops statewide, after Gov. Arnold Schwarzenegger launched his "Million Solar Homes" initiative. But the effort sank into the sunset amid partisan wrangling in the Legislature. Here's how it happened. By Peter Asmus

California's small solar lobby has had remarkable success the last two years in beating back legislative and regulatory attacks launched by private utilities. So hopes were high this past August when Governor Arnold Schwarzenegger put some of his political muscle behind SB 199 by Senator Kevin Murray (D-Los Angeles), a bill that would have added solar panels to one million new California homes by 2017.

As expected, environmentalists lined up behind the governor when he unveiled his "Million Solar Homes" initiative, which was inserted into the Murray bill. Even more encouraging, the California Building Industries Association (CBIA) reversed its position — from staunchly opposed to tepid support — in the last week of the legislative session.

Suddenly, there was brash talk among renewable energy advocates about California becoming *the* global leader on solar power. Even two of the state's three private utilities implied they were willing to go with the governor, despite past efforts to squash solar.

It was an amazing turn of events. For years, California's private utilities have been busy trying to thwart solar. Two years ago, Southern California Edison tried in the Legislature to make it harder for owners of larger solar systems to barter for power with solar-generated electricity. Last year, Edison and its fellow private utilities tried to impose huge fees on solar consumers through the California Public Utilities Commission (CPUC), in order to help pay for the inflated power supply contracts approved by former Governor Gray Davis during the energy crisis.

In both cases, the solar lobby came out on top after extensive letter-writing and e-mail campaigns with state lawmakers and regulators.

But when it came down to the wire in the final days of the 2004 legislative session, the only victory that the solar lobby could claim was a stop-gap measure to fund the highly popular solar

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"The biggest factor is solar got caught in the cross fire between the governor and the speaker. We were essentially being held hostage." — Bernadette Del Chiaro of Environment California

rebate program over the next two years. The 10-year, $1 billion program that had been under development by the solar industry since January — and which Schwarzenegger essentially adopted as his own in the last few weeks of the legislative session — was dead.

A frenzied final push

Polls conducted this year by the Public Policy Institute of California and the Charleston Research Company showed more than 80 percent of Californians supported a campaign pledge by Schwarzenegger to have half of all new homes equipped with solar panels beginning next year. While this goal was an impossible target to meet, it convinced Jan McFarland, the new executive director of the California Solar Energy Industries Association (CALSEIA), to develop a blueprint of how to reach this aggressive goal within a realistic time-frame.

McFarland, formerly with the federal Environmental Protection Agency and the California Energy Commission, brought a new level of sophistication to a solar lobby that has long been understaffed and underfunded. With the governor's avid support for solar and Democratic Senators Byron Sher (D-Palo Alto) and John Burton (D-San Francisco) about to be termed out this year, McFarland felt the timing was right for enacting a comprehensive long-term solar program.

Because of Burton and Sher, "California has been one of the few places in America where meaningful legislation on energy and the environment could be enacted," observed McFarland.

On August 10, CALSEIA sponsored an event on the state Capitol steps featuring a long line of speakers extolling Schwarzenegger's leadership on solar energy. His "Million Solar Homes" initiative had just been unveiled, but had not yet found a legislative vehicle. A few days later, the second of three bills authored by Senator Murray on solar and new homes was introduced. This one — SB 1652 — included key elements of Schwarzenegger's solar plan. It died a few days later in committee. Apparently embarrassed, the governor instructed his staff to get *something* on solar into the Legislature.

After much going back and forth, Murray presented SB 199, a measure that included the official "Million Solar Homes" initiative, at an August 23 hearing of the Assembly Utilities and Commerce Committee. The California Building Industries Association was now in support of the plan after fresh amendments required new homebuilders to make solar a standard offer (as opposed to a standard feature) beginning in January 2008 (instead of 2006). "We were dead set against mandates," explained Bob Raymer, CBIA's lead lobbyist on the solar issue.

Intense politicking behind the scenes led Senator Debra Bowen (D-Marina del Rey) to offer an alternative solar bill — SB 118. It differed from SB 199 in several important respects. Among them was a much lower statewide cap on net metering, the state policy that allows owners of solar systems to send excess electricity back to the grid.

SB 199 raised this arbitrary cap from .5 up to 5 percent of total customer statewide demand, an increase opposed bitterly by the private utilities. (Bowen's measure increased this cap to 1.5 percent.) The other key differences were that Bowen's bill lacked a designated funding source (and even included language precluding any rate increases to pay for solar) and required solar installers to be paid union prevailing wages. It was this latter requirement that was the final nail in the coffin.

"That just blew up the whole issue," said CBIA's Raymer. According to his math, this provision would have increased labor costs by 40 percent, greatly reducing the amount of solar power coming online through allocated funding.

Bowen's solar bill, which did pass out of committee, was then double-joined to AB 2006 by Assembly Speaker Fabian Nunez (D-Los Angeles). His measure would have moved California back toward a regulated energy market, a shift in policy strongly opposed by the governor.

Ironically, SB 199 may have died due to a lack of support from one key Democrat: Nunez. "We don't want new taxes; the governor is pushing for them," said Nunez after SB 199 went down. "This bill is a good idea, if it had come in January [when there would have been more time]," added Utilities and Commerce Committee Chair Sarah Reyes (D-Fresno).

Technically speaking, the governor's original solar program did not increase taxes. But it would have added less than $4 to each residential customer's annual electricity bill (or about 25 cents per month.) In the end, Reyes co-authored SB 135 with Assemblyman John Campbell (R-Irvine), which was signed into law, providing $60 million in solar rebates for residential customers.

"I don't think we could have passed a bill supporting the governor's position on energy out of the Legislature no matter what its merits were," commented Campbell. "We weren't going to see any energy bill get through from anybody other than the Assembly speaker," he said.

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More than petty politics

But there was much more than just petty partisan politics and big egos involved in the demise of the solar bill. "Everyone just needed more time to sort through the details," said Joe Desmond, deputy energy secretary and Schwarzenegger's point man on the bill.

Desmond said he garnered the support of Sempra and Pacific Gas and Electric, as well as municipal utilities, for the governor's solar program. "The support is there for a major comprehensive program," he continued. "The key issues have been identified and we have a clear path about how to move forward."

According to Bernadette Del Chiaro of Environment California, an arm of the California Public Interest Research Group (CALPIRG), the demise of SB 199 "had nothing to do with party affiliation, rate increases or net metering. The biggest factor is solar got caught in the cross fire between the governor and the speaker. We were essentially being held hostage. We had all our ducks lined up, but we didn't get the speaker and he is a very powerful man."

Comprised of rugged individualists highly resistant to government regulation, the solar industry has often fallen victim to turf wars and petty rivalries. Even with recent successes, industry infighting continues as firms focused on residential systems bump heads with companies focused on large-scale systems.

A recent report by the California Energy Commission (CEC) shows that California has upped its total solar capacity to 60 megawatts (MW), thanks to state rebates that have covered up to half of system costs. This figure represents over three-quarters of the nation's total solar capacity and could power up to 60,000 homes.

This compares to Japan, the global leader, which has invested $1 billion over a 10-year period to add 640 MW of solar peak capacity to its grid. Germany is second with 375 MW of solar capacity. The Schwarzenegger administration estimated that its "Million Solar Homes" initiative would be far more cost-effective than the Japanese program, adding 2,700 MW of new solar capacity over 13 years.

However, the energy commission's report notes the state's two primary sources of rebate funding have run dry. For its residential program, funds allocated to cover five years of rebates were burned through in just one year. A rebate program designed to cover large-scale systems is also close to being exhausted.

The CEC report also suggested that future incentives for solar photovoltaics be tied to performance to insure that solar systems were installed properly. The 10-year CALSEIA plan included provisions to move the solar PV industry toward performance-based incentives and away from subsidies altogether, a policy position that made some of its members a tad nervous.

A shift toward documenting performance is supported by Randy Kauffman, CEO and president of Next Energy Corp., which recently installed 27 solar systems in the Hunters Point region of San Francisco, a chronically depressed neighborhood victimized by air pollution from a nearby power plant, industries and shipping. According to Kauffman, the solar systems — which were given away free under a one-time City of San Francisco Public Utilities Commission program — are performing 20-30 percent above expectations.

Other solar companies such as PowerLight of Berkeley, a firm *Inc. Magazine* calls one of the fastest growing business in the U.S., are concerned about Schwarzenegger's exclusive focus on new homes, which currently represent just 2 percent of the state's solar market, according to Kari Smith, PowerLight's manager of regulatory affairs. "Installations of solar on new homes is great, but there is so much more to the industry," said Smith, whose company focuses on large-scale systems for commercial or industrial clients.

Regardless, Smith is optimistic about a truly comprehensive solar program next year. "The fact that we had a Republican governor pushing for solar shows how far we have come," said Smith.

Peter Asmus has been covering energy policy for 15 years. His books include "Reinventing Electric Utilities: Competition, Citizen Action and Clean Power" and "Reaping The Wind: How Mechanical Wizards, Visionaries and Profiteers Helped Shape Our Energy Future," both published by Island Press. Comments may be sent to **comments@californiajournal.org**

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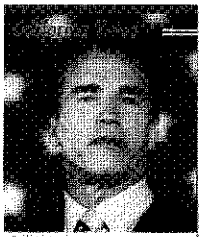

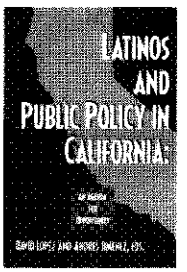

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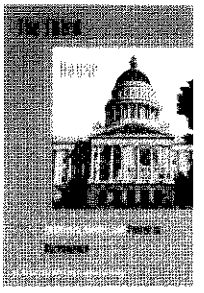

- **The Third House** goes behind the scenes to see how lobbyists wield power in Sacramento. ($14.95)

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changes

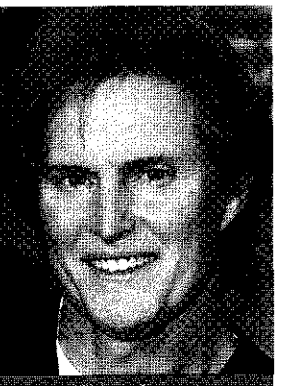
Appointees:

Into the ring

Governor Arnold Schwarzenegger recently appointed three members to the State Athletic Commission: Orange County Sheriff **Michael Carona**, Dr. Gary Gitnick, UCLA school of Medicine professor, and **Bruce Jenner**, former U.S. Olympic Decathlon winner and a TV sports commentator for several national networks.

The athletic commission was created by voters in 1924 to regulate the sports of boxing, which had acquired a brutal, unseemly reputation for deregulated matches that often led to injuries. Today, the athletic commission also oversees kickboxing and martial arts under a hotly opposing mission "to make California the undisputed leader in the welfare of boxers and other licensees, with worldwide respect from the public and the industry." The six-member commission regulates all professional and amateur bouts and administers a pension plan for boxers. Sheriff Carona, with more than 28 years of law enforcement experience, has special duties in the federal Dept. of Homeland Security and is co-chair of the state's Amber Alert program. Dr. Gitnick, chief of UCLA's digestive diseases unit and a member of the California Medical Board since 2000, founded the Fulfillment Fund to help disadvantaged high school students. Jenner, who broke the decathlon world record at the 1976 Olympics, has been a motivational speaker and serves on several charitable boards, including Special Olympics, which was started by the governor's mother-in-law, Eunice Shriver.

Each athletic commissioner receives a $100 per diem fee for six to eight meetings per year.



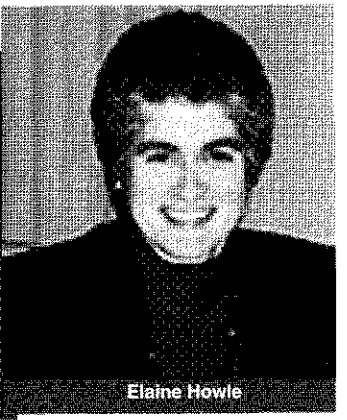
Bruce Jenner

Michael Carona

Appointments

Governor Arnold Schwarzenegger appointed **William Semmes**, a member of the California Performance Review, as director of the California Conservation Corps ($108,700). Semmes, a co-founder of Acumins, an online producer of customized vitamins, was serving as the CCC's assistant director. ... **B.B. Blevins**, former chief deputy director, Dept. of Toxic Substances Control, was promoted to director ($123,300). The department also has a new chief deputy director ($109,400), **Leonard Robinson**, who previously was environmental and safety manager of TAMCO Steel. ... The Youth and Adult Correctional Agency promoted former deputy secretary of administration and oversight, **Naomi Aoyagi**, to deputy secretary of administration ($96,800); former interim deputy secretary of legislation **Joyce Hayhoe** was named deputy secretary of legislation ($106,600). ... **Lona "Grace" Koch** was named deputy director, Office of Emergency services ($85,400), moving up from her job as manager of programs/state operations. ... **Richard Loa**, former Board of Prison Terms member, was named deputy director of the Dept. of Housing and Community Development ($94,000). ... **Annette Sorrick**, former policy and research manager for the California Building Industry Association, was appointed assistant deputy director of consumer relations and outreach ($54,000) at the Dept. of Consumer Affairs. ... The new Dept. of Pesticide Regulation has a trio of new appointees: director ($123,300) is **Mary Ann Warmerdam**, former manager of state and governmental relations for Pacific Gas & Electric Company. Reappointed as the dept.'s chief deputy director is **Paul Gosselin** ($118,300); **Mark Rentz**, former California Forestry Association vice president for environmental and legal affairs, was appointed director of external affairs,

Mary Ann Warmerdam



Elaine Howle

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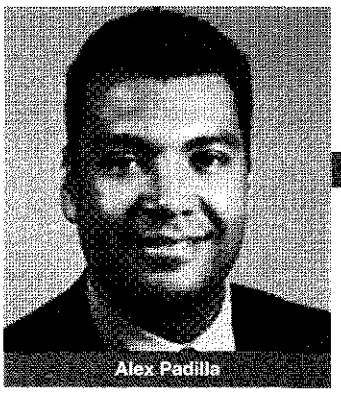
($94,800). ... **Elaine M. Howle** has been reappointed to a second term as California State Auditor ($131, 400). ... The Dept. of Water Resources has three new appointees: **P. Joseph Grindstaff,** former general manager of the Santa Ana Watershed Project Authority, was appointed chief deputy director ($118,300); **Nancy J. Saracino,** former deputy attorney general, Dept. of Justice, was appointed chief counsel ($109,400); and **Susan Sims-Teixeira**, a California Performance Review member and former chief of the Planning and Management Branch, Dept. of Toxic Substances Control, was appointed assistant director of public affairs ($89,500).

Legislative

Assembly Speaker Fabian Nuñez appointed **Katharine B. Duhamel**, a writer, director and independent film producer, to the California Film Commission.

Other

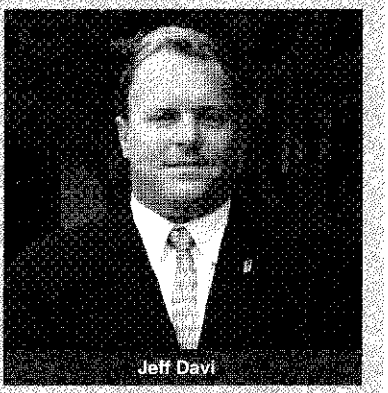
Bob Twomey, former deputy labor commissioner for the Dept. of Industrial Relations, has become executive director of the new Tile Industry Labor Management Cooperative Committee. ... Former Dept. of Aging communications director **John Carr** is now serving as a public information officer at the Dept. of Alcoholic Beverage Control. ... The Center for California Studies at California State University, Sacramento, and the Sacramento Press Club announced their 10th Annual California Journalism Award winners. Recipients of the John Jacobs Award are: **James P. Sweeney** of *Copley News Service* for his series on Indian gaming in California, and **Kimberly Kindy,** of the *Orange County Register,* who investigated the state's Technology, Trade and Commerce Agency. Other winners were: **Ina Jaffe** and **Cathy Shaw** of National Public Radio's "All Things Considered" for excellence in radio reporting; **Randy Paige**, **Frank Snepp** and **Richard Alvarez** of KCBS-TV for "excellence in television reporting" and


Alex Padilla

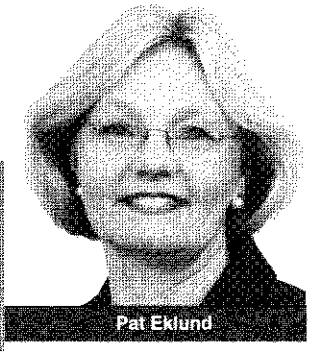
Moving Up:

Into the house

Jeff M. Davi, who's served two terms as state director of the California Assn. of Realtors and is owner/managing broker of his own realty company in Monterey, was named state real estate commissioner ($123,300). A Republican who's twice run for Monterey County Board of Supervisors, Davi takes over a commission bogged down by its role in licensing/regulating realtors. According to recent news reports, the department's backlog of disciplinary cases against realtors accused of malfeasance has tripled in the last two years. Davi, who comes from one of the highest-priced housing markets in the state, also has an interest in California's affordable housing issues.


Jeff Davi

Matt Ballinger, a student at Orange Coast College, received the college writing award for a story on California's open meeting law. ... The League of California Cities announced Novato Mayor **Pat Eklund** will serve as president and Los Angeles City Council member **Alex Padilla** will serve as first vice president. ... **Lisa Gritzner**, outgoing chief of staff to Los Angeles City Councilwoman Cindy Miscikowski, has been named a vice president at Cerrell Associates, Inc.


Pat Eklund

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Political Glitterati: At a December 2003 [illegible] party in her honor in San Francisco hosted by former Mayor Willie Brown (right), Protocol Chief Charlotte Mailliard Shultz and her husband, George P. Shultz, are flanked by her two "bosses" : SF Mayor Gavin Newsom and wife, Kimberly, and Gov. Arnold Schwarzenegger and First Lady Maria Shriver.

Charlotte Mailliard Shultz

THE CHARM FACTOR

A longtime fixture on San Francisco's social and political scene, Charlotte Mailliard Shultz has dazzled a long line of Democratic mayors as the city's chief party planner and consular host. Now she's about to assume a similar role in Sacramento, as California's chief of protocol. By Claudia Buck

For nearly 40 years, she has been San Francisco's official hostess-with-the-mostess. Now she's California's, as well.

Charlotte Mailliard Swig Shultz has entertained presidents, kings, queens and heads of state in her long-running role as San Francisco's chief of protocol. She's done it all: Greeting the Queen of England's arrival in a driving rainstorm. Shooting off fireworks *indoors* at City Hall to honor the patriarch of Greece. Celebrating the Golden Gate Bridge's 50th anniversary by closing it down for a three-hour gala, a blockbuster event that nearly turned catastrophic when 800,000 celebrants tried crowding onto the bridge, visibly flattening the span and alarming city engineers. Through it all, Shultz has earned San Francisco's acclaim as *the* consummate hostess.

Now she's poised to do the same for Governor Arnold Schwarzenegger and

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Charlotte Mailliard Shultz. Photos courtesy of the CA Office of Protocol

Below: California's Chief of Protocol Charlotte Mailliard Shultz greets Gov. Arnold Schwarzenegger with former First Lady Gayle Wilson at the "California's Remarkable Women" museum exhibit in Sacramento. Photo: Governor's Office

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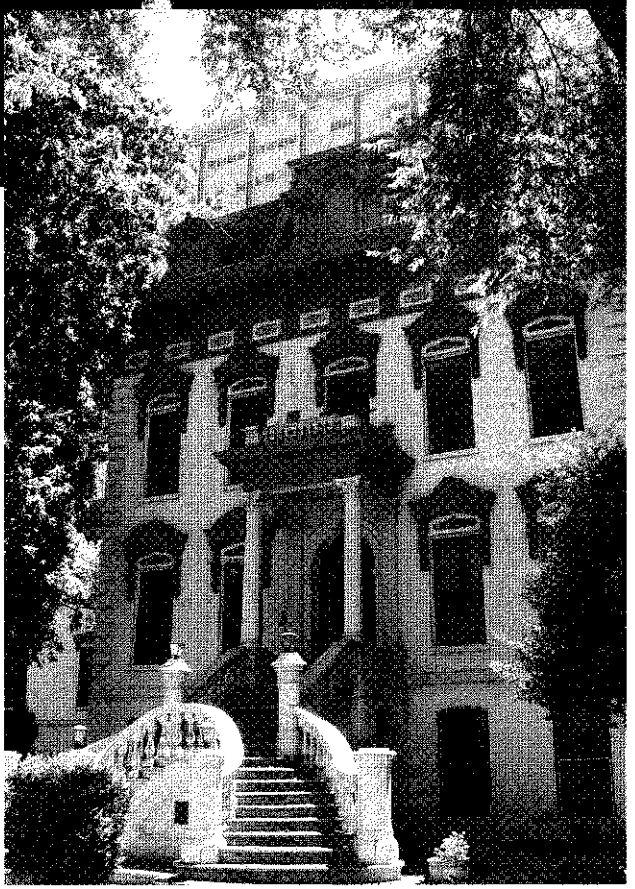
Former SF Mayor and U.S. Sen. Dianne Feinstein calls herself the "matchmaker" in bringing together George and Charlotte Shultz.



Closed since the 1980s, the Leland Stanford Mansion will re-open next year for public tours and official diplomatic receptions for the governor. Photo: Dept. of Parks and Recreation.

First Lady Maria Shriver, who appointed her in March as California's Chief of Protocol to help rev up the Capitol's style-and-grace quotient when hosting foreign dignitaries, trade delegations and business leaders from around the world.

It is doubtful most Californians know the state has a "protocol chief." The job involves orchestrating intricate diplomatic encounters with visiting heads of state, executing millions of tiny details with military-like precision, while making the honorees feel as though it was effortless. It's a job that fits Shultz as smoothly as one of her Armani gowns.

"Whether you're a prince or a pauper, she treats you like a king," said former Mayor Art Agnos, her boss from 1988-92. "She can move in any social circle and make people feel comfortable, important and at ease."

She's considered tireless, with a roll-up-the-sleeves work ethic, whether it's arriving at dawn to set up BBQs for a mayor's birthday celebration or staying *till* dawn cleaning up tables after a charity ball — still in her evening gown. Those who've worked with her say she's never without a smile, even through a recent bout of breast cancer and chemotherapy.

In her early 70s, Shultz retains the enthusiasm and energy of a woman half her age. In fact, one of her former protocol assistants who *is* about half her age still marvels at her former boss' energy. "She'd be the first one in the office in the morning and the last to leave at night. And then she'd go out on the town with Willie Brown or Herb Caen 'til 1 or 2 in the morning," said Lisa Mirza Grotts, Shultz's assistant during Brown's first term who now runs a protocol consulting business. "She has boundless energy and diplomatic skills that are second to none.

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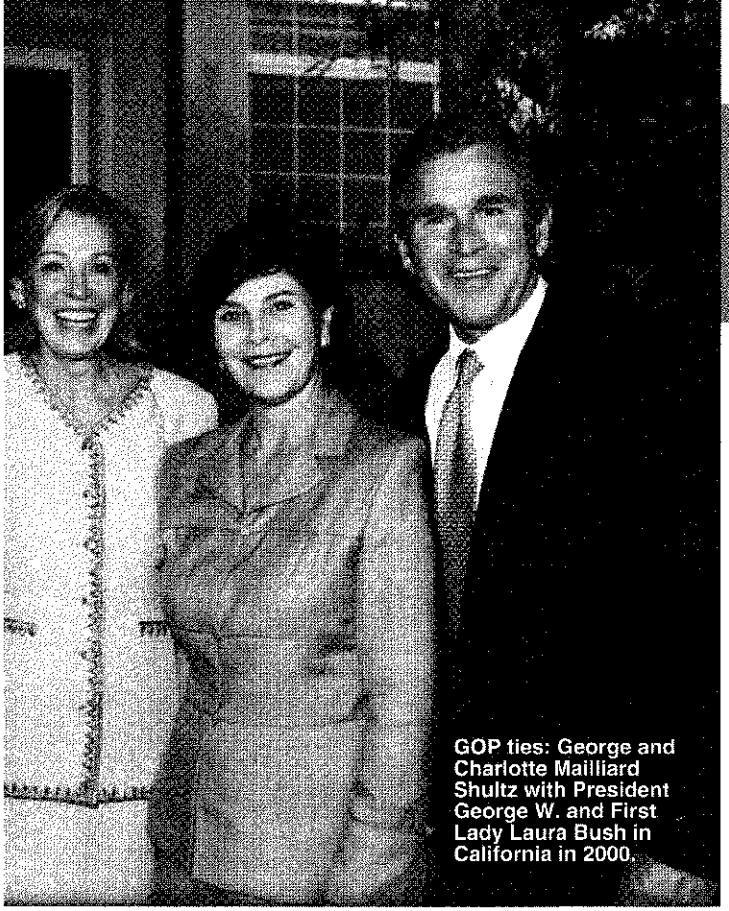

GOP ties: George and Charlotte Mailliard Shultz with President George W. and First Lady Laura Bush in California in 2000.

"Whether you're a prince or a pauper, she treats you like a king."
— Mayor Art Agnos

She was *made* for this job."

She's actually doing two jobs. Still serving as San Francisco's protocol chief under Mayor Gavin Newsom, Shultz also commutes to Sacramento once a week as California's protocol chief, handling such recent events as the governor's diplomatic reception for California's consular corps from more than 100 countries. Both protocol posts are "volunteer" jobs for which she takes no paycheck.

A belle of the ball on San Francisco's social scene for decades, Shultz is still a staple in the city's society pages. Yet for a woman accustomed to designer gowns, chauffeured cars and a personal hairdresser, Shultz is remarkably down-to-earth.

One of Agnos' favorite stories occurred when Shultz was preparing to host a civic event in her Russian Hill home and invited the mayor's wife and young son over to discuss the details. Touring the penthouse, they walked into Charlotte's closet, filled with rows of designer dresses and floor-to-ceiling shelves of shoes. Mesmerized by the eye-popping array, the mayor's son, then about six or seven, blurted out reverentially: "Mommy, this looks like *Sears!*" Agnos' wife was mortified but Charlotte, doubled over in laughter, put her at ease.

The bright city lights of San Francisco are a far cry from her down-home roots in Borger, Texas, the daughter of a general store owner and an adoring mother, now in her 90s, who Shultz talks with weekly. It was a town that baked in the summer, was bitten by sandstorms in winter and smelled of nearby petroleum plants. "I used to ask my Dad why we lived there. And he'd always say, 'Because everyone here is so *nice*,'" recalls Shultz, whose voice still carries a tinge of Texas.

"Nice" still describes this transplanted Texan who landed in San Francisco in the early 1960s and began a life-long love affair with the city.

She sits on at least seven civic and arts boards in San Francisco, including the ballet, opera, symphony, Grace Cathedral and the Commonwealth Club. She's been a generous donor, both philanthropically and politically to Democrats and Republicans alike.

And she hasn't been afraid to dip into her own checkbook when needed. When the fireworks crew for the Golden Gate Bridge celebration refused to light up the sky unless they had immediate payment, she wrote out a personal check for $250,000 — on a paper bag. That was the same event where Shultz commandeered a helicopter to pick up crooner Tony Bennett, who was stranded in gridlock traffic by the throngs of revelers.

But her protocol duties haven't

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Charlotte Shultz outside her "office" in San Francisco City Hall.

SF Mayor Art Agnos calls protocol chief Charlotte Shultz "the best asset" he inherited at City Hall.

Newlyweds George and Charlotte Shultz on the steps of Grace Cathed after their August 1997 wedding, wh included 600 guests. Her Bill Blass wedding gown is on display at the California State History Museum's "Remarkable Women" exhibit.

been without controversy, particularly under Willie Brown, who raised some eyebrows for lavish spending on mayoral trips, entertainment and gifts promoting the city. Usually those endeavors are paid solely through private donations but Brown siphoned $1.5 million into Shultz's protocol budget from city hotel taxes in 1997, prompting calls for an investigation of mayoral spending.

Terri Carbaugh, spokesperson for the governor's office, said the governor has "complete faith" in Shultz's stewardship, noting that the protocol office will be funded by private donations through the nonprofit California Protocol Foundation.

In her view, her job is "to make the principals look good." And her new role with a telegenic Hollywood governor and Kennedy-esque first lady, she says "is the easiest job I've ever had." Arnold and Maria, she said, have "a strength and a style" that she'll help translate into events that showcase the state and their pet projects.

Next spring, Shultz moves into a new office in the refurbished Leland Stanford Mansion, which has undergone a $12 million remodel started more than 12 years ago by former First Lady Gayle Wilson and others. Located two blocks from the Capitol, the 1857 Victorian was home to Governor Leland Stanford and several successive governors. In 1900, Stanford's widow donated the home to the Catholic Church, and for the next 85 years it was a children's orphanage and later a home for high school girls. Unused since the late 1980s, it's currently bustling with painters, carpenters and woodworkers applying the finishing touches to what will become Sacramento's newest state park site, open for public tours.

But the mansion's primary purpose will be to host the governor's receptions and "state dinners" with national and foreign dignitaries, business leaders and trade delegations, part of the governor's push to "bring business back" to California. The mansion also will be available to legislative leaders for official functions.

Shultz says the mansion will be a "home away from home" for the Schwarzeneggers, who have no official residence in Sacramento other than the Hyatt Hotel, in which to entertain visitors. Their debut with the mansion will "set the tone for its use for generations to come."

Widowed twice, her marriage in 1997 to former Secretary of State George P. Shultz seems the perfect pairing of pomp and policy. Former Mayor and U.S. Senator Dianne Feinstein, who put them together on a dinner date, says Charlotte, brings "an effervescence and sparkle to his life" while George adds a "new dimension to hers."

The couple own three homes where they regularly entertain world leaders in politics, business and the arts — her San Francisco penthouse on Green Street, his home on the Stanford University campus (where he is a Hoover Institution distinguished fellow) and Mailliard Ranch, a weekend getaway near Mendocino that belonged to her late husband's family. She calls George Shultz her "unpaid

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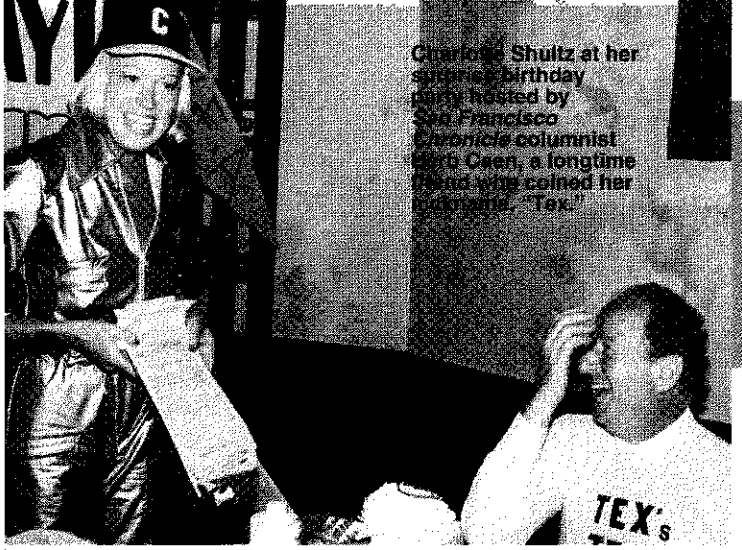

Charlotte Shultz at her surprise birthday party hosted by *San Francisco Chronicle* columnist Herb Caen, a longtime friend who coined her nickname, "Tex."

Although she laments the "lack of civility" in political life today, Shultz maintains an uncanny ability to transcend partisan politics.

consultant" and says she relies on his insights, instincts and numerous friendships with international mayors, presidents and business leaders. This summer, they traveled to China to see old friends and to lay the groundwork for Schwarzenegger's upcoming visits to China, Hong Kong and Japan.

Although she laments the "lack of civility" in political life today, Shultz maintains an uncanny ability to transcend partisan politics. Despite switching her party affiliation to Republican years ago, she has served seven of San Francisco's most ardent liberal Democrats, from Joseph Alioto to George Moscone. Ironically, it was the city's only Republican mayor, Frank Jordan, who dumped her as protocol chief in the mid-1980s.

She acquired her first taste of partisan politics as a young office worker in the 1960s, when she volunteered for the mayoral campaign of Democrat Jack Shelley. Eventually her campaign activities became too much for her Republican boss, who asked her to choose: her job or her politicking. She picked the latter, joined the campaign as a fulltime volunteer, eventually going to work for the newly elected mayor, father of current Secretary of State Kevin Shelley (see page 28).

Over the next few years, she became a City Hall fixture, moving upward in the city's political and social realms. Her mentor was Cyril Magnin, the clothing store magnate and civic/cultural booster, who created San Francisco's first protocol office. She married Jack Mailliard, a third-generation San Franciscan, whose brother William was a longtime Republican congressman — a political rarity in San Francisco. Despite the family's political leanings, she remained a Democrat. Some years after Mailliard's death, she married Democrat Mel Swig, a wealthy philanthropist and real estate tycoon, whose family holdings included the Fairmont Hotel. It was Swig who jokingly told her she was "a fake" Democrat, a comment that spurred her to switch political parties.

Her job, she says, is not about politics, and those who know her say she rises above partisanship. "She's my favorite Republican," says Agnos, adding that Shultz "mastered the art of bipartisanship" both in her marriages and in her public life. Brown affectionately called her his "token Republican," while Feinstein, who considers Shultz one of her closest girlfriends, said their personal politics have "never been an issue."

In this highly politicized era, says Feinstein, "The governor is lucky to have her."

Claudia Buck is managing editor of California Journal. *Comments may be sent to* **comments@californiajournal.org**

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San Diego on the brink

by Sherry Bebitch Jeffe

It was called "The Bankruptcy of the Decade" when, on December 6, 1994, Orange County became the largest municipality in the nation's history to declare insolvency. The county's treasurer had lost about $1.7 billion of taxpayers' money through risky investments.

Stunned officials, politicians and fiscal experts dismissed the crisis as "a fluke." Mark Baldassare, in his study of the bankruptcy, *When Government Fails*, observed, "Municipal bankruptcies are rare events that generally occur in rural places. Large cities had always sidestepped bankruptcies when their state government came to the rescue." Until Orange County, a GOP mainstay, was stiffed by a Democratic-controlled Legislature.

Fast-forward to January 27, 2004 — almost a decade since Orange County filed for Chapter 9 protection. San Diego, California's second largest city, voluntarily filed disclosure reports with the Securities and Exchange Commission, admitting errors and omissions in city financial statements. Soon after, the city's bond ratings were slashed. In addition, the SEC and the U.S. Attorney's Office began investigating its finances.

San Diego hired the law firm of Vinson & Elkins to review its disclosure practices. The firm concluded, "for years, the city had balanced its budget by transferring the burden of its labor settlements to a misconstrued surplus in its pension system — a short-term solution to a budget squeeze that grew into a long-term problem ..." Spending these spurious "surplus earnings" led to "a sizeable pension gap projected to grow ... over the coming decade."

In other words, since 1996, San Diego had been deliberately paying less into the pension fund than the city owed, resulting in a $1.17 billion deficit.

Just days after the Vinson report, Standard and Poor's suspended the city's credit rating, making San Diego the first major California city since 1980 to have its rating lifted. To some, that smelled like a city marching inexorably down the road to insolvency.

One of the lessons of Orange County, Baldassare found, was "that the responsibility for preventing what occurred ... lies not just with the elected and appointed officials but also with the voters." He identified three key factors that created the "necessary conditions" for Orange County's bankruptcy and subsequent recovery: "political fragmentation" resulted in a lack of fiscal oversight; "voter distrust put pressures on elected officials to provide more services without raising taxes;" and "state fiscal authority," after passage of Prop. 13 in 1978, shifted control of local property tax revenues to the state.

All three are woven into San Diego's story. The Vinson & Elkins report observed, "As a result of its historically strong anti-tax attitudes, San Diego is a low revenue city. Like other local governments in California, San Diego's budget is affected ... by reductions in funds received from the state. ... San Diego is also a city with strong municipal unions. These factors have repeatedly combined to place the city's budget under significant strain." The report went on to describe "a disorganized, if not dysfunctional," city management that "delegated responsibility while abandoning accountability..."

San Diego had been deliberately paying less into the pension fund than the city owed, resulting in a $1.17 billion deficit.

It is said those who don't learn from history are condemned to repeat it. San Diego is trying hard to learn. Pension reform is under way, following recommendations from the city's pension reform committee. Variations of two committee recommendations were placed on the November ballot. Proposition H will restructure the city's retirement board and reduce the representation of city employees and retirees. Proposition G will limit the city's ability to underfund the pension. Two measures on the statewide ballot also may have ramifications for San Diego. Propositions 1A and 65 would limit state authority over major local government funding.

Not surprisingly, the pension-fund deficit became a major issue in this month's mayor's race, which pit incumbent Dick Murphy against county supervisor Ron Roberts and councilwoman Donna Frye, a write-in candidate.

Regardless of the fate of these various electoral fixes, California cities and counties would be wise to remember the lessons of Orange County — and San Diego — and take precautions not to repeat their fiscal debacles.

Contributing Editor Sherry Bebitch Jeffe is a senior scholar at the USC School of Public Policy. Send comments to **comments@californiajournal.org**

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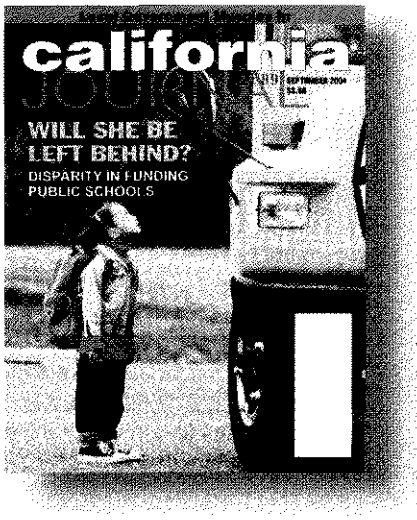
Hypocrisy of legislators

The John Howard article "Health Care Behind Bars" and Jonathan Jones' article "Growing Old in the Gulag" in the September 2004 *California Journal* uncovered a number of health care problems in our prison system.

However, the Legislature is just as culpable as the executive branch for the mismanagement errors. [Former] Youth and Corrections secretary Robert Presley spoke often about the need for a prison for elderly inmates and for special facilities for AIDS patients while incarcerated. The Legislature killed bond proposals, including mine, that would have put this before the people.

To ask medical personnel to work in physical space that is dangerous and poorly designed for health care is an impossible challenge to the Department of Corrections. The Legislature's failure to provide adequate facilities exposes their hypocrisy on this issue.

Bill Leonard
State Bd. of Equalization
Assembly and Senate, 1978-2002



State prisons aren't gulags

I think that Jonathan Jones ["Growing Old in the Gulag," September 2004] should do some serious research to find out what a gulag was historically before using such a term to denigrate the California prison system (which may have faults but is certainly not in the same league as the Soviet gulag). Despite the court case that mandated expensive [health] care for criminals, I believe such care should be limited to trauma and hospice activities. This money could be much more ethically spent taking care of working people who don't have medical insurance.

Bruce Bibee
Los Angeles

Kudoes on kids

Thank you for writing such a moving article ["Mississippification of Schools," September 2004] — just in time for the Palo Alto League of Women Voters' kickoff of our education study on K-12 education, a statewide update on our existing position. I copied the two pages at the start of the article and used them on our poster for sign-ups. We want to inform people of the seriousness of the issue and the real problems statewide.

Doris Petersen
Palo Alto

No more 'sob stories'

As a California taxpayer, I'm sick of hearing the stories about our schools and that we should pay more taxes "for the children" ["Mississippification of Schools," September 2004].

How about starting an investigation of the crooks who run the school districts and are stealing taxpayers' money? How about stopping illegal immigration that's forcing us to build more schools? I'm on a fixed income and I stand to lose my home if California's legislators succeed in raising property taxes "for the children." I will not listen to school sob stories!

Haydee Pavia
Laguna Woods

Where are the parents?

Where is the PTA? Where are the concerned parents ["Mississippification of Schools," September 2004]? I was a life member of the PTA, back when we were active. It would have taken only one irate, active, concerned parent — and a few phone calls — to see such conditions in a school and remedy the situation. To blame the state, teachers and administration is correct, but when are the parents going to face their responsibility? If nothing else, a crew of volunteers could do the initial cleaning and painting. Parents are needed to oversee the revision of the administration's attitude — or else the revision of the administration.

Each teacher is responsible for the condition of the classroom. Each principal is responsible of the condition of the school. The administration is responsible for the hiring of qualified personnel — including the janitorial staff. Adequate money is the responsibility of the state, but money is not the only answer.

Recognition of responsibility, not buck-passing, is the true answer. How else are the children to learn to be responsible without the example of the adults in their lives?

Jean T. Dewey
Quartz Hill

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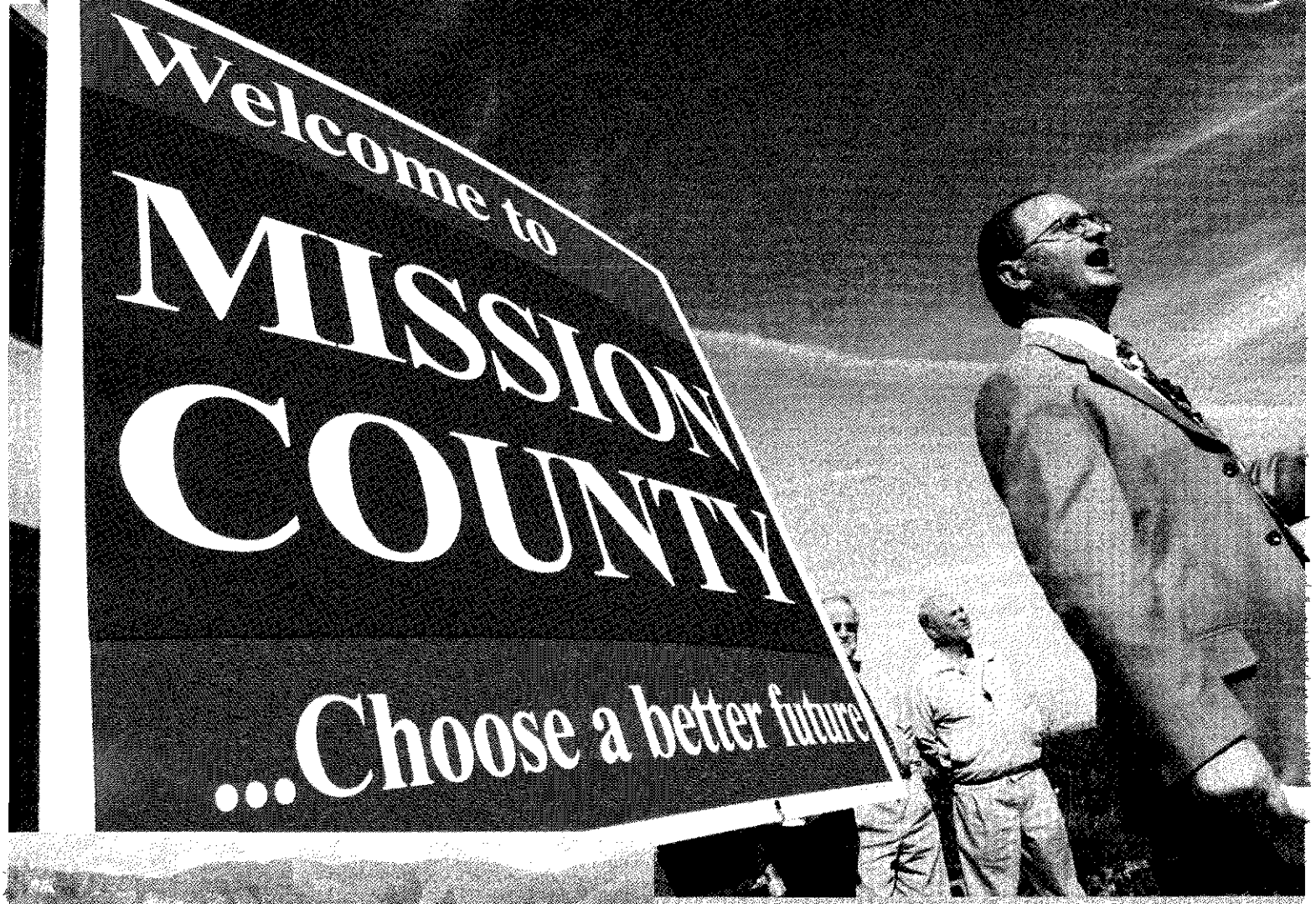

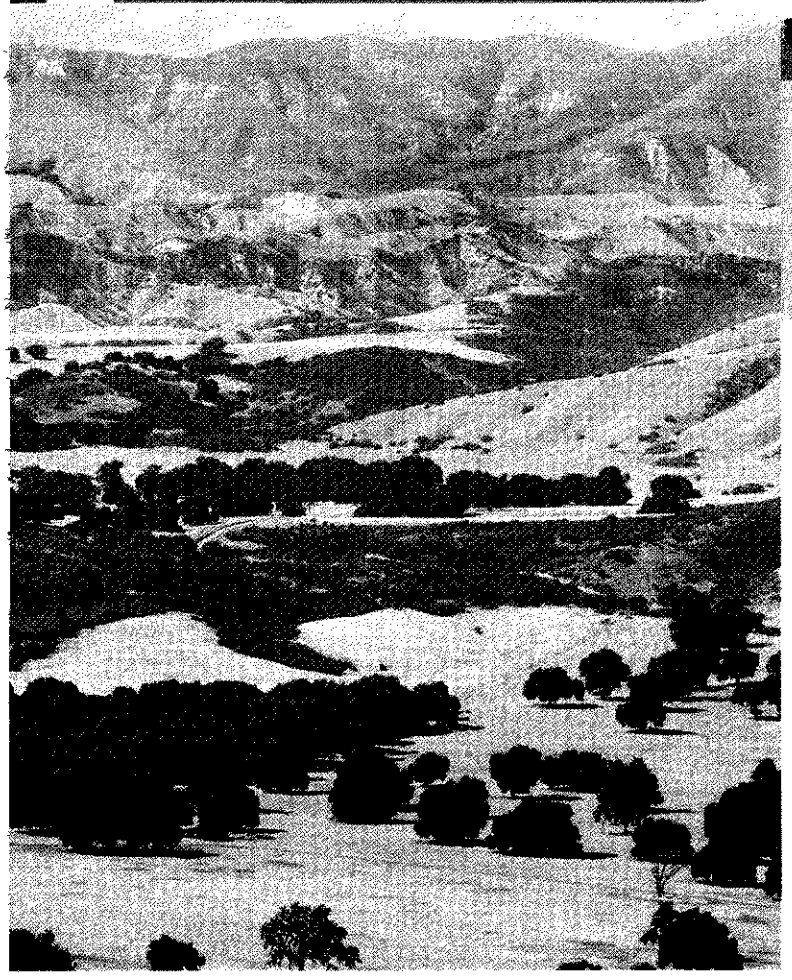

Split pe

Santa Barbara County has two faces: and the blue-collar, working cl by their differences, a group of north brewing that will let voters dec county in almost 100 years:

From the glistening beaches of Santa Barbara to the strawberry fields of Santa Maria, Santa Barbara County is dominated by two communities of comparable size, but with out much else in common.

To the south is the tourist mecca of Santa Barbara, with its Spanish red-tiled roofs, million-dollar tract homes, tony Montecito movie star residents and its primarily white

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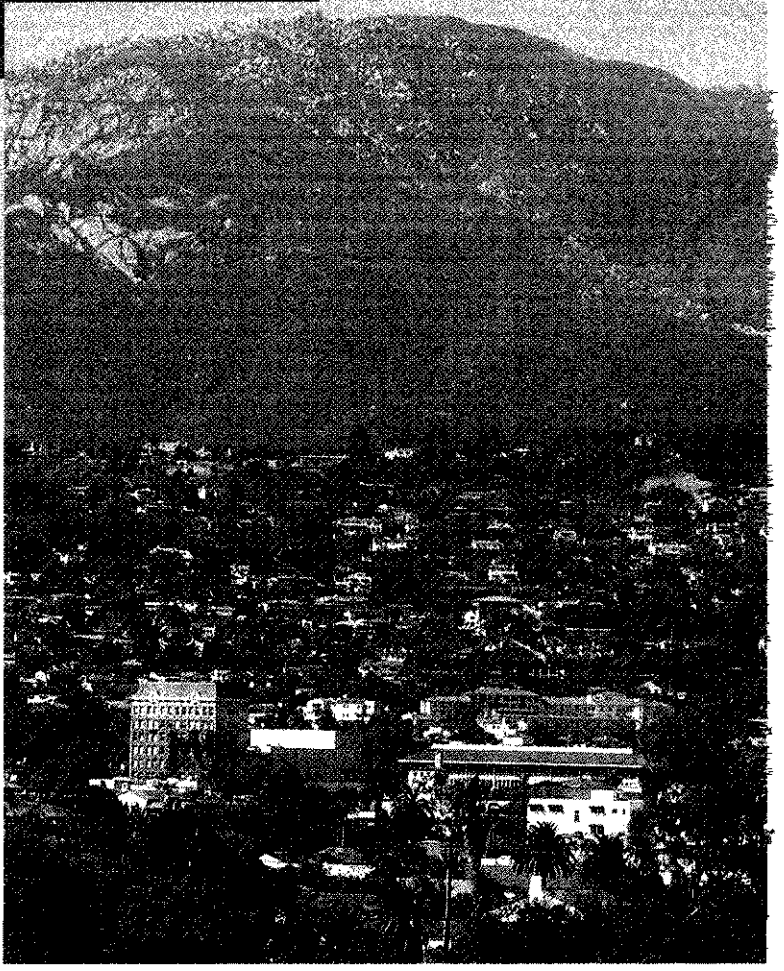
Photos courtesy of the *Santa Barbara News-Press* and photographer Mike Eliason

Far left, top: Jim Diani of Citizens for County Organization speaking at the Santa Maria Government Center. Far left, bottom: Oak-studded hillsides of Santa Ynez Valley, which would become part of a new Mission County.

Left:Citizens protesting the county split. Below: Downtown Santa Barbara



sonality

scale wine-and-brie set in the south mmunities to the north. Frustrated sidents have a ballot measure ether to create California's first new posed Mission County.

By Nora Wallace

inhabitants. Up north in Santa Maria, a multicultural and multihued community is centered on family and faith, not fame. More than 60 percent of its residents are Latino, and many are among the immigrant Mexican fieldworkers who pick fresh produce in the thousands of acres of strawberries, broccoli and lettuce grown alongside homes and schools.

These two communities typify the divide that has split

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New housing developments in Buellton encroach on pepper fields under harvest.

Jim Diani, leader in the pro-county split forces

this county along northern-southern lines almost since it came into being in 1850 — not just geographically, but politically, economically and culturally.

In the past 150 years, five other secessionist movements have erupted and subsided, most recently with the trouncing of a proposed Los Padres County in 1978. The same complaints heard now are similar to those back in 1877, when North County residents objected to "paying tribute to Santa Barbara," or in 1885 when secessionist supporters called Santa Barbara an "arbitrary stepmother."

More than 25 years after the last effort, factionalism is back, with a renewed north vs. south family feud that carries colossal fiscal repercussions. Fueled by a long-simmering dissatisfaction with a southern-centered government and a political ideology they find oppressive, a group of northern residents are seeking a new homeland called Mission County.

If the breakaway is successful when it comes before voters in June 2006, Mission County would become California's first new county in almost 100 years. It would sever the county in half at the Santa Ynez Mountain range — carving Mission County out of Santa Ynez, Solvang, Lompoc and Santa Maria in the north, and leaving Santa Barbara, Goleta and Carpinteria as a truncated Santa Barbara County.

Roots of restlessness

The gestation of Mission County began in Santa Maria in 2002, when a group of business people and elected officials decided the political climate was right for a secession drive. Citizens for County Organization launched a petition drive calling for a fiscal viability study, a required step before a vote. Once the petitions were certified, Governor Arnold Schwarznegger named a five-member Mission County Formation Review Commission. The volunteer panel is filled with public policy experts — a former Santa Barbara mayor, a former San Jose city manager, a Santa Maria County planning commissioner, a retired San Luis Obispo County assessor and a past Solvang city councilwoman.

The group has one year to complete its study, which includes evaluations of the county's indebtedness and its capital holdings. It must also suggest a new county seat (it chose Santa Maria), draw new boundaries for county supervisorial districts and decide which government leaders would be elected during the initial transition in 2006.

Meanwhile, Santa Maria is poised to surpass Santa Barbara in overall population, spurred by a booming Latino population and thousands of residents willing to commute for lower-priced housing. Despite the population shift, Santa Barbara county government remains southern-focused, while the north's lack of economic opportunity keeps it hovering in the shadow of its more prosperous counterpart.

A split, some argue, could change all that.

In theory, yes. But in a stark report that could sound the split's fiscal death knell, Santa Barbara County Auditor-Controller Bob Geis in late September projected a $44 million budgetary blackhole for Mission County at its outset. According to his analysis, the new county would have trouble paying for cops, social services, buildings and benefits.

"Based on the current level of services, Mission County is not financially feasible," Geis said during a public hearing in September. "Based on the current amount of money in the South Coast, we're significantly paying for

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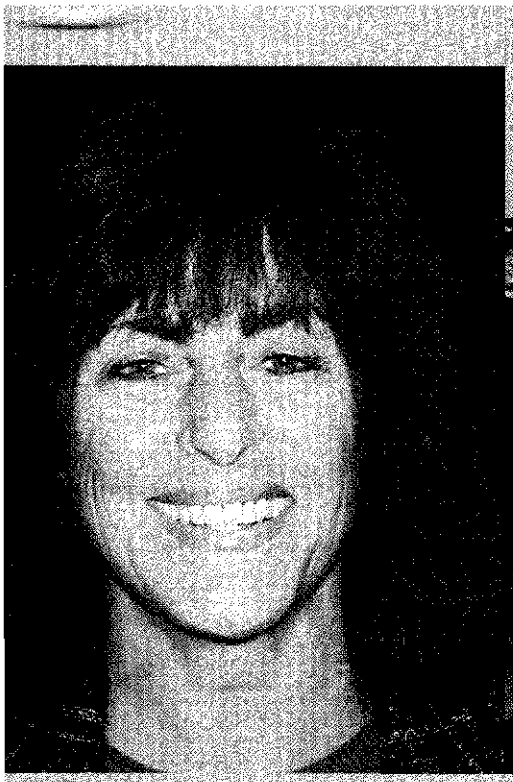


ormer Lompoc Mayor Joyce Howerton, an pponent of the county split

The South County lifestyle near Shoreline Park in Santa Barbara includes sailing, biking, strolling and jogging.

operations in the North County. We're paying for capital [infrastructure projects] in the North County. We're paying for contributions to federal and state programs."

With only $52 million in general revenues compared to the south's $121 million, Mission County would be unable to provide its residents with sufficient services, he said.

"We're just different"

But the secessionists knew from the outset they had to give voters more than financial reasons to support a split. They are motivated by a quest for "a more effective and efficient" local government, with a county board that would be located closer to residents and more closely aligned politically with its constituents. They want better protection of private property rights and more housing and business expansion, including oil and natural gas projects.

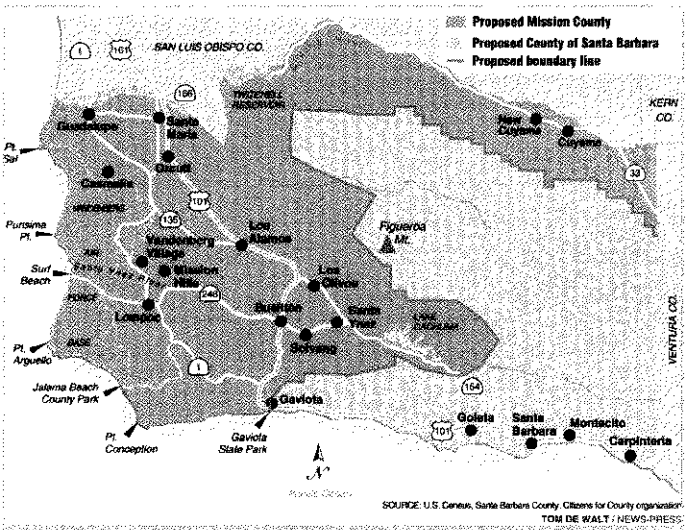
Those goals, secessionists say, are unattainable in southern Santa Barbara County, with its liberal, environmentalist ideology and strict zoning and development regulations.

"We're just different," is the refrain echoed repeatedly by split backers.

In many ways, that's true: median home prices are significantly higher in the south — about $355,000 in Santa Maria, compared to $1 million in the Santa Barbara/Montecito/Carpenteria region; 80 percent of the county's sales tax comes from the south and average salaries are slightly better there, too. By comparison, two-thirds of county residents needing social services live in the north, with their benefits subsidized by the south. Almost 68 percent of the county's farmland is located in the north.

Santa Barbara's splintered regions mirror the widening political rift separating conservative inland California from the liberal coast. In recent elections, southern Santa Barbara County voted against the recall of Governor Gray Davis, while the north voted for it. In the 2000 presidential election, the north was George W. Bush country; the south went for Al Gore.

It's not surprising that split proponents argue the differences are "irreversible and irreconcilable." The breakaway backers point to various south county land-use decisions as blatant attempts to stymie the agrarian way of life in the north — ordinances designed to preserve the north's oak trees, to limit grading on farmland and to uphold federal restrictions on farming and ranching to



Map of proposed county split

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save endangered salamanders.

The desire to become its own county is not about a particular office holder or the philosophical leanings of a supervisorial majority, secessionists say. It's not even about superficial rural vs. urban arguments. They say it's about deeper moral values, about the desire for self-determination, about respect.

"We have a different philosophy here," argues Jim Diani, owner of Diani Construction in Santa Maria, and spokesman for Citizens for County Organization. "We have a different quality of life. We have a different culture ... And we'd like to control our destiny ourselves."

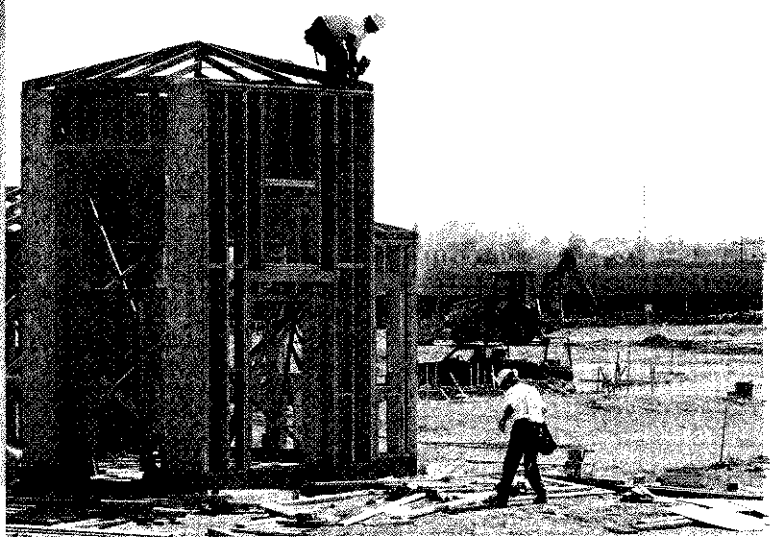
Divided loyalties

But former Lompoc Mayor Joyce Howerton, spokeswoman for Coalition Against the County Split, calls that a bogus argument.

"We're different throughout the county and we have similarities throughout the county. That's what makes us a good county and a strong county. And we need to stay a united county."

Split opponents maintain that most problems permeating Santa Barbara County — housing, transportation, population, economics — require solutions that encompass the whole county.

"Most of our problems are regional problems. A county split isn't going to change that. If we can't fix them under one county, how can we do it split in two?" said secession opponent Nancy Johnson.



Santa Barbara County's northern region still has room for growth. Top: A solo horseback rider in the Santa Ynez Valley. Bottom: Housing construction in Santa Maria

Steven Szalay, executive director of the California State Association of Counties, says the push for Mission County doesn't signal a trend. But it may, he suggested, signal a push toward reforming how county governments operate.

"What counties are struggling with—as are cities and special districts — is the notion of regions, and should certain services be provided on a regional basis as opposed to a county basis," Szalay says. "The structures that were established over 150 years ago in terms of counties — do they really make sense now?"

Though none have been successful since Imperial County came into being in 1907, county split drives are an increasingly popular — if largely futile — way for disgruntled residents to advocate for change in government.

The Mojave County effort in 1988 failed to create a new government by carving out a portion of eastern San Bernardino County. Four years earlier, Tahoe County failed to materialize from El Dorado County, although it got 46 percent of the vote.

And in 1992, an unsuccessful attempt by then-Assemblyman Stan Statham (R-Chico) took a statewide look and suggested chopping California into thirds.

Santa Barbara's vote is still more than a year off, and the majority of county residents so far have little interest in the issue. The work of the Mission County Formation Review Commission goes largely unnoticed.

Ultimately, it's doubtful the Santa Barbara County's politics or personalities will decide the matter. It will more likely come down to money: Will the new county have to raise taxes, increase fees and reduce social services?

"The study should be a definite deciding point for the entire county," said commissioner June Christensen, a former Solvang city councilwoman. "I understand the concerns of the North County. I understand the concerns of the South County. What it all boils down to is, will it work?"

Nora K. Wallace is a reporter with the Santa Barbara News-Press, *covering state and federal government. Comments may be sent to* **comments@californiajournal.org**

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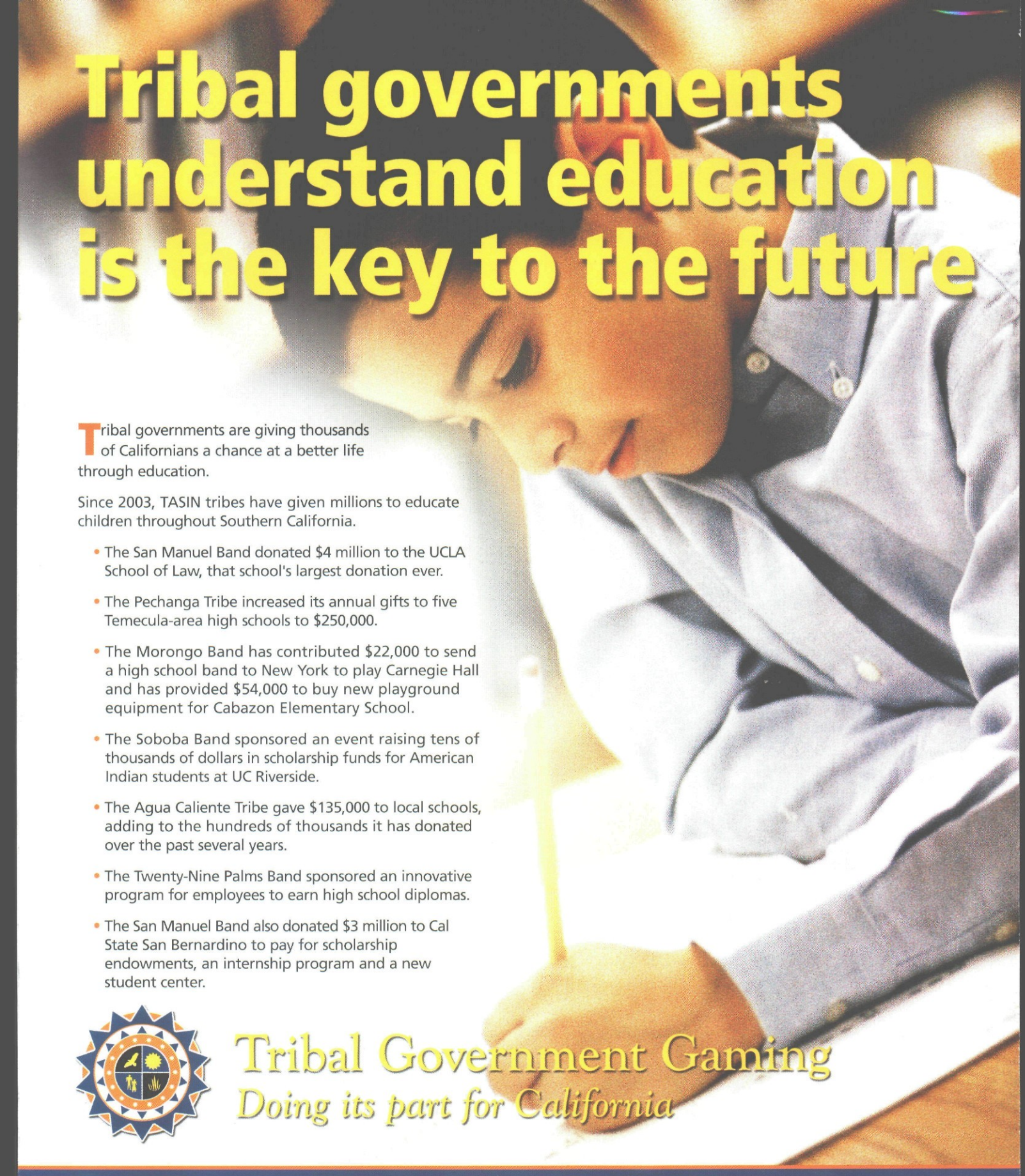

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